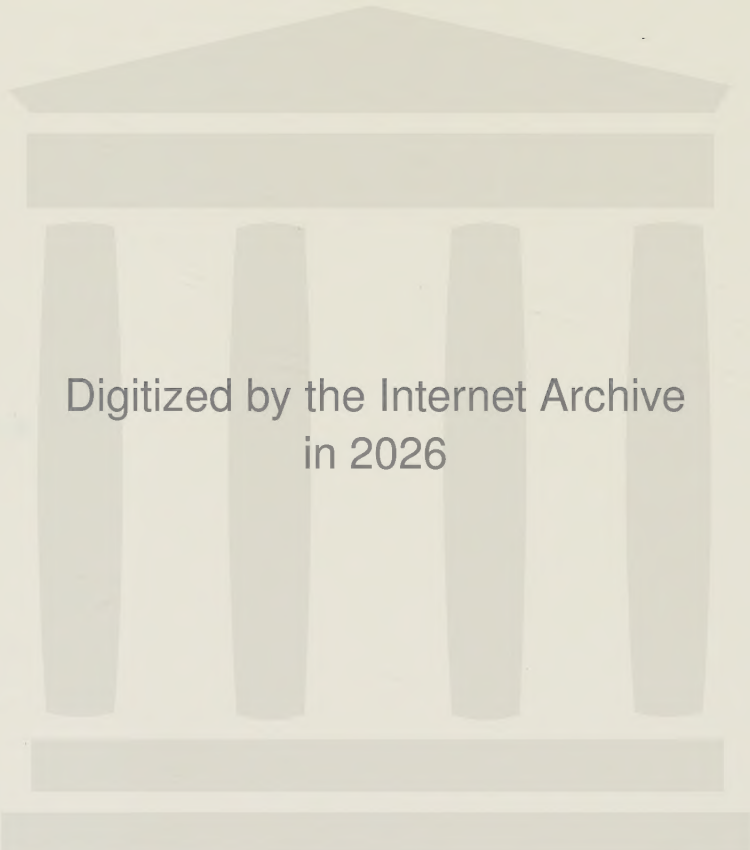


Mediation in International Negotiations

Lars-G. Stenelo

10472

Studentlitteratur



Digitized by the Internet Archive
in 2026

MEDIATION IN INTERNATIONAL NEGOTIATIONS

AKADEMISK AVHANDLING

som med vederbörligt tillstånd
av Samhällsvetenskapliga fakulteten i Lund
för vinnande av filosofie doktorsgrad
kommer att till offentlig granskning framläggas
i hörsal B Sölvegatan 18
fredagen den 29 sept. 1972 kl. 10

av

LARS-GÖRAN STENELO
Fil. lic., Kr.



Lars-G. Stenelo

Mediation in International Negotiations

Studentlitteratur

Translator: Eric Clayton Coble



© Lars-Göran Stenelo 1972

Printed in Sweden

Nordens boktryckeri

Malmö 1972

ISBN 91-44-08661-X

To Jeanette

Contents

INTRODUCTION

The aim of the study 10; The literature on mediation and negotiation 11; Conceptual frameworks as tools of analysis 14; Schemes of conceivable effects 16; The interplay between the conceptual framework and the empirical material 18.

Chapter 1 Mediation in international negotiations 22

- 1.1. Introduction 22
- 1.2. Strategy and its conceptualization 22
 - 1.2.1. Strategies as types of measures or means 28
 - 1.2.2. Comments on strategic and substantive goals 29
 - 1.2.3. The strategic evaluation system 31
- 1.3. Mediation in negotiations 36
 - 1.3.1. Mediation and its conceptualization 36
 - 1.3.2. Preventive mediation and acute mediation 37
 - 1.3.3. The characteristics of the unauthorized mediator 39
 - 1.3.4. Mediation and the degree of role independence 41
 - 1.3.5. The mediator's strategic resources 43
 - 1.3.6. ENDC and Sweden's strategic and substantive goals 45
 - 1.3.6.1. Goals related to Sweden's mediation efforts 45
 - 1.3.6.2. Sweden's substantive goals 46
 - 1.3.6.3. Sweden's use of bargaining-oriented strategies 47
 - 1.3.6.4. Sweden's strategic resources 49

Chapter 2 Mediation and the negotiation milieu 51

- 2.1. Introduction 51
- 2.2. Size as a quality of negotiation 52
 - 2.2.1. Multilateral negotiations and the use of strategies 53
 - 2.2.1.1. Multilateral negotiations and mediation strategies 53
 - 2.2.2. Multilateral negotiations and the time element 54
 - 2.2.3. Multilateral negotiations and the possibility of coalition formation 55
 - 2.2.3.1. Conceivable negative effects of coalition formation 56

2.2.3.2.	Conceivable positive effects of coalition formation	57
2.2.3.3.	ENDC as a multilateral negotiation	58
2.2.3.4.	ENDC and the power discrepancy between the participants	60
2.3.	The publicity level of negotiations	62
2.3.1.	Conceivable positive effects of publicity	62
2.3.2.	Conceivable negative effects of publicity	62
2.3.3.	The publicity level and mediation	64
2.3.4.	The publicity level and ENDC	64
2.4.	The length of negotiations	66
2.4.1.	The length of negotiations and its strategic consequences	67
2.4.1.1.	Conceivable positive effects of long negotiations	67
2.4.1.2.	Conceivable effects of long negotiations and the control of resources	68
2.4.2.	Long negotiations and mediation	68
2.4.3.	Conceivable effects of short negotiations	69
2.4.4.	ENDC and the length of negotiations	70
2.4.4.1.	The difference between the real and the formal start of negotiations	70
2.4.4.2.	ENDC and prediction of the length of negotiations	71
2.5.	A comparison between multilateral disarmament negotiations and collective bargaining—conceivable differences	76
2.5.1.	Mediation in collective bargaining and disarmament negotiations	79

Chapter 3 Mediation and the stages in a negotiation process 81

3.1.	Introduction	81
3.2.	Alternative bases of subdivision	83
3.2.1.	The negotiation process as a joint decision-making process	83
3.2.2.	The strategic goal as a basis of subdivision	86
3.2.2.1.	The difference between the subcategories of the strategic goals	87
3.2.3.	Strategic behavior as a basis of subdivision	89
3.2.3.1.	Classification of stages and the problem of “stage ambiguity”—some methodological comments	89
3.3.	The initial stage of the negotiation process	91
3.3.1.	Characteristic I: The strategic goals of the parties	91
3.3.1.1.	The initial stage and the individual decision-making process of the parties	93
3.3.2.	Characteristic II: The strategic behavior of the parties	95
3.3.3.	ENDC and the initial stage of the negotiation process	97
3.3.3.1.	Establishing the negotiation range: The test ban case	97
3.3.3.2.	Establishing the negotiation range: The NPT case	99
3.4.	The intermediate stage of the negotiation process	101
3.4.1.	Characteristic I: The strategic goals of the parties	101
3.4.2.	Characteristic II: The strategic behavior of the parties	102
3.4.3.	ENDC and the intermediate stage of the negotiation process — the NPT case	104

- 3.5. The final stage of the negotiation process 106
- 3.5.1. Characteristic I: The strategic goals of the parties 106
- 3.5.2. Characteristic II: The strategic behavior of the parties 107
- 3.5.3. ENDC and the final stage of the negotiation process—the NPT case 108
- 3.6. The parties attempts to influence the development of the negotiation process 111
- 3.6.1. Attempts to accelerate the negotiation process 111
- 3.6.2. Attempts to preserve the negotiation process 112
- 3.6.3. Attempts to reverse the negotiation process 113

Chapter 4 Mediation and different types of negotiatory situations 115

- 4.1. Introduction 115
- 4.2. The degree of progress as a characteristic of the situation 118
- 4.2.1. The stalemate situation as an extreme type of non-agreement situation 119
- 4.2.2. The agreement situation 122
- 4.3. The degree of uncertainty as a characteristic of the situation 123
- 4.3.1. The degree of uncertainty and the time element 127
- 4.3.2. The degree of uncertainty and risk-taking 128
- 4.3.3. Conceivable effects of a high degree of uncertainty 129

Chapter 5 Mediation and search strategies 135

- 5.1. Introduction 135
- 5.2. The characteristics of search strategies and search activities 136
- 5.2.1. The search strategy as a role-independent strategy 137
- 5.2.2. Strategic goals and search strategies 138
- 5.3. Mediation and search strategies 139
- 5.4. Search strategies and the negotiation milieu 141
- 5.5. Search strategies and the stages of the negotiation process 142
- 5.6. Conceivable effects of using search strategies 144
- 5.6.1. Conceivable negative effects of the use of search strategies 144
- 5.6.2. Conceivable positive effects of the use of search strategies 145
- 5.7. The query technique as a type of search strategy 146
- 5.7.1. Bases of subdivision of queries 147
- 5.7.2. Differences and similarities between search activities and persuasive activities 149
- 5.8. The use of search strategies in ENDC 150
- 5.8.1. Mediation and the use of search strategies in ENDC 150
- 5.8.2. Search activities and persuasive activities: The ambiguous boundary between queries and arguments 153
- 5.8.3. The role-independent search strategy: ENDC and the NPT case 154
- 5.8.4. Attempts to influence the negotiation process by the use of search strategies 160
- 5.8.5. Conclusions and comments 161

Chapter 6 Preventive mediation 164

- 6.1. Introduction 164
- 6.2. The characteristics of preventive mediation* 165
- 6.3. Different types of activities related to preventive mediation 168
- 6.4. Preventive mediation and the negotiation milieu 171
- 6.5. Preventive mediation and the level of politicization 171
- 6.6. Conceivable effects of preventive mediation 174
- 6.7. ENDC and preventive mediation 174
 - 6.7.1. Swedish attempts to regulate the level of politicization 174
 - 6.7.2. ENDC and Swedish attempts to influence other parties' strategic evaluation systems 179
 - 6.7.2.1. Sweden's attitude towards the principle of acceptability 180
 - 6.7.2.2. Sweden's attitude towards compromise 181
 - 6.7.3. Preventive mediation and information-giving strategies in ENDC 182
 - 6.7.3.1. Sweden's use of information-giving strategies 183
- 6.8. Conclusions and comments 188

Chapter 7 Mediation and compromise strategies 190

- 7.1. Introduction 190
- 7.2. The definition of compromise concepts 191
- 7.3. Compromise proposals and some problems concerning the mediator's strategic decision-making process 193
- 7.4. Conceivable ways in which the mediator can regulate the prerequisites for compromise solutions 196
- 7.5. Conceivable effects of compromise proposals from a mediator 198
- 7.6. ENDC and Swedish compromise proposals 198
 - 7.6.1. Acute mediation: Compromise proposals in stalemate situations 198
 - 7.6.1.1. The official version of the subjective definition of the negotiatory situation 199
 - 7.6.1.2. The characteristics of the memorandum 199
 - 7.6.2. Preventive mediation and compromise proposals 203
 - 7.6.2.1. The negotiatory situation 204
 - 7.6.2.2. The characteristics of the memorandum 205
 - 7.6.2.3. Conceivable negative effects of the Swedish proposal 209
 - 7.7. Conclusions and comments 211

References 213

Abbreviations 222

Acknowledgements

My teachers in political science and in international politics have been Professor Nils Stjernquist and Professor Hans F. Petersson. I have received strong support from them during the entire course of my research, and I thank them for their kind assistance.

Among my colleagues at the Political Science Department of the University of Lund with whom I have fruitfully discussed various theoretical and empirical problems, I would particularly like to thank Assistant Professor Lennart Lundquist, Professor Gunnar Sjöblom and fil. lic. Christer Jönsson.

In addition, I want to express my gratitude to those persons who were kind enough to allow me interviews. I would particularly like to acknowledge the contributions of Minister Alva Myrdal, Director General Sigvard Eklund of the International Atomic Energy Agency, Ambassador Axel Edelstam, Colonel Rutger Boman, Military Adviser to the Swedish disarmament delegation, and the Scientific Adviser to the delegation, First Assistant Secretary Jan Prawitz.

I would also like to express my appreciation to my translator, Eric Clayton Coble, who has made an exceptionally committed and thorough effort to meet the difficult challenge which a translation represents. In addition to the translation, Mr. Coble has even made a number of valuable suggestions concerning improvements in the analysis.

Gunilla and Mats Kjellman as well as Björn Beckman have painstakingly read and corrected both the preliminary and final proofs.

I am especially indebted to my parents who have from the beginning of my studies followed my work with lively interest.

Above all, I would like to thank my wife, Jeanette, who, in addition to being a perfect secretary, has given me constant support and encouragement during my work.

Lars-Göran Stenelo

Lund, Sweden
1972

Introduction

The Aim of the Study

This is a study of mediation in international negotiations. In the analysis a number of concepts and insights will be presented in order to facilitate an interpretation and understanding of mediation in a negotiatory context. A number of phenomena and mechanisms will be discussed which are considered to be of major significance for an understanding of negotiation processes in general and mediation processes in particular. The empirical sections of the analysis are intended to support the plausibility of the theoretical argumentation by illustrating the existence and dynamics of the phenomena and mechanisms introduced in the theoretically oriented sections.

The empirical analysis will focus on Sweden's attempts in the Eighteen-Nation Committee on Disarmament in Geneva (ENDC) to influence the results of the negotiations partially through the use of mediation strategies. This means that the analysis will concentrate on the activities of an "unauthorized mediator" in a multilateral, international negotiation. That is, the study will focus on a neutral nation's independent attempts to mediate between other nations without being formally designated as a mediator by any institution. In contrast, the UN works through individuals or commissions acting as authorized mediators appointed by the Security Council.¹

The primary purpose of this study, however, is to develop a set of theoretical tools and to apply them to an analysis of the negotiation process as exemplified in international, multilateral negotiations. *The approach employed here is an expository one* which combines explanation and description in an analytical context.² The purpose of the study is thus to describe both "how" and "why" a party uses mediation strategies in a negotiatory context. A conceptual framework designed to describe major elements of the negotiation process will be employed as an analytical tool. The study will focus on those phenomena which can be related to the mediation process, and attempts

¹ Cf. the United Nations Charter, Chapter VI, Article 33 and 34.

² Petersson, 1964 : 32.

will subsequently be made to identify these phenomena in the empirical material.

The Literature on Mediation and Negotiation

The main interest of this study, an analysis of mediation, can be justified by the low level of theoretical sophistication which characterizes the literature on mediation and the inadequate analysis of the mechanisms and components that both comprise and influence mediation behavior presented in the literature on negotiation. Carl M. Steven's statement still seems to be basically correct: "Most analysis of mediation is essentially descriptive and pragmatic. There is little or no theory of mediation."³

The limited amount of theoretically oriented research on mediation is not proportionate to the comprehensive analyses dealing with bargaining theory which have been mainly represented by investigations employing a game-theoretical approach. At the present time, however, an interest in the theoretical analysis of mediation has increased somewhat due to a growing concern with mediation as a method of conflict resolution.

Even though it is frequently argued that the need for mediation is increasing because of the growth in number and seriousness of social conflicts, evidence concerning the contribution of the mediator has remained anecdotal and controversial.⁴

Studies of mediation and third party intervention which have been empirically oriented have generally dealt with formally authorized mediation which, in an international context, has usually meant UN mediation.⁵ In analyses of collective bargaining negotiations, the focus has been directed towards a study of authorized mediation by institutions such as the United States Federal Mediation and Conciliation Service.⁶

There seems to be a lack of more comprehensive, systematic empirical investigations of informal, unauthorized mediation. The literature does, however, contain short accounts concerning the attempts of the non-aligned nations to fulfill a mediating function in connection with multilateral nego-

³ Stevens, 1967: 271. Steven's own work is an exception, however, as well as a number of earlier theoretically oriented studies of the mediation process in a collective bargaining context. See for example, Jackson, 1952. Kerr, 1954. Meyer, 1960.; Warren-Bernstein, 1948.; Douglas, 1957.; Lovell, 1952. Barkun, 1964.

⁴ Podell-Knapp, 1969: 511. The authors' article is, however, a contribution to theoretically oriented research on mediation. In addition to Podell-Knapp, the following works illustrate a growing theoretical interest in the mediation process: Burton, 1972; and *Some Aspects of Mediation*, 1970:37, which states that "...mediation had to be studied deductively; conflicts had to be studied, hypotheses derived and then tested against experience."

⁵ Young, 1967. Burton, 1972.

⁶ On industrial mediation, see Douglas, 1962; and Peters, 1955.

tiations on arms control.⁷ One of the tasks ascribed to the non-aligned nations has been the promotion of compromise between the Soviet Union and the United States. As will be shown later in the study, such efforts can be related to mediation strategies.⁸

Even if the role of neutral or non-aligned states as participants in multi-lateral negotiations has not been analyzed to any great extent, the role of these nations as third party "peacemakers" in world politics has been generally discussed. In this context, the non-aligned nations have sometimes been ascribed a mediating role.

Mediation, thus, is not a general role of all nations of the loose bipolar system, but a specialized role. Uncommitted nations may exercise the same kind of role as that of the uncommitted parties who are often so useful in mediating industrial disputes.⁹

The ability of the non-aligned nations to influence the behavior of the great powers in any significant way has, however, been questioned. And a great deal of skepticism concerning the ability of these nations to play a mediating role can be noted in the literature on the non-aligned states.¹⁰

That part of the general negotiation literature which has concentrated on the parties' strategic behavior has had the greatest impact on this analysis.¹¹ Generally speaking, the literature dealing with studies of collective bargaining can be said to have played a greater role in this investigation than game theory.

It should be noted, however, that collective bargaining studies have been inspired to a certain degree by game-theoretical approaches. And game-theoretical concepts and relationship have also been employed in this investigation. There is reason to concur with Morton Kaplan's evaluation of game theory:

At present, game theory is useful primarily as a source of insights, that is, primarily analogically. This does not mean that game theoretical insights are useless

⁷ Edwards, 1969: 65: "... the presence of 'third parties' (particularly the non-aligned but also moderating allies) will allow mediation..." Jack, 1962: 551. Ahmed, 1967: 96. Ahmed, who participated in ENDC as a member of the delegation from the United Arab Republic, saw the non-aligned states as "impartial conciliators." Also see Ahmed, 1963: 26, 30. Iklé, 1964: 205.

⁸ Kaufmann, 1968: 186.

⁹ Kaplan-Katzenbach, 1961: 52. See also Herz, 1962: 294. On the non-aligned states and the UN, see Wilcox, 1962: 121 ff. For a general review of the role of the uncommitted states, see Young, 1967: 92 ff. For a positive view of the neutral states' potential for mediating in disarmament issues, see Lomov, 1966: 23.

¹⁰ Liska, 1962: 211 ff. Kissinger, 1962: 346. Lefever, 1962: 118. Schelling, 1966: 33.

¹¹ Kerr, 1954. Schelling, 1963. Stevens, 1963 and 1967. Walton-McKersie, 1965. Douglas, 1957 and 1962.

or unimportant. Game theory, for instance, has brought deeper understanding of the complexity and ambiguity of the concept of rationality.¹²

Certain aspects of the game-theoretical literature however, have a limited analytical utility in a study of policy and strategy processes. The lack of congruence between the game-theoretical model and the "reality" to which it is applied seems to be so large that the model has only limited explanatory power. Thus, the definite system of rules postulated in a game-theoretical context are not reflected by any rules for the behavior of states in international negotiations. To a certain extent such rules are improvised during the course of the negotiations.

Coercive strategies are ascribed a predominant significance in game-theoretical analyses. The game-theoretical postulate of rationality stipulates that the parties are aware of every utility function and can calculate the outcome of every alternative strategy. The players' utility calculi are often assumed to be based on complete information. First, the marked interest in coercive strategies seems to obscure to an all too great degree the cooperative element in the type of negotiations analyzed in this study. Second, persuasive strategies are not adequately dealt with. Through persuasion, the parties attempt to influence each other's utility calculus in the course of the negotiations.¹³ A common motive for a party's use of argumentation seems to be that the recipient is not aware of all the advantages and disadvantages associated with particular alternative courses of action or various negotiatory solutions. The parties' preferences are not constant but seem to vary.¹⁴

In most cases, game-theoretical approaches have also neglected an analysis of the role of information-seeking strategies since it is assumed that the players have complete information. Such strategies cannot, however, be neglected in a study of international negotiations where secrecy creates a striking lack of information.

Finally, it should be noted that complete objective rationality is postulated in certain game-theoretical studies of negotiation. In this analysis, however, the parties have been ascribed a limited subjective rationality.¹⁵

A party can be considered subjectively rational if he attempts to realize his goals in ways compatible with his system of values by consistently utilizing known and tested means or untested new means which he feels are similar enough to previously employed means that their consequences can be adequately predicted. Possible risk-taking thus takes place in reference to past

¹² Kaplan, 1968:45. On the "analogue" as a type of model, see Ackoff, 1962:109. On the value of game theory, see Coddington: 1968 XIV.

Dougherty-Pfaltzgraff, Jr. 1971:373. For a review of game-theoretical analyses, see Bishop, 1963:559 f.

¹³ Stevens, 1963: 67.

¹⁴ Midgaard, 1969: 565.

¹⁵ Simon, 1965:75 ff. March-Simon, 1966:138 f. Lundquist, 1972:31.

experience and ability to prognosticate.

The work done by Iklé and Sawyer-Guetzkow constitutes two of the studies of negotiation which include an analysis of international negotiations and which have influenced this investigation.¹⁶ In particular, the definition of negotiation proposed by Sawyer-Guetzkow has especially influenced the way in which negotiation is conceptualized in this study: *Negotiation is a process through which parties interact in developing an agreement.*¹⁷ One of the issues which has often been discussed in the literature on negotiation is whether cooperative or competitive behavior seems to dominate in a negotiation. According to the approach employed in this study, an attempt will be made to analyze the parties' efforts to utilize a negotiation as a means for the peaceful resolution of conflict, efforts which indicate the parties' willingness to test out the possibilities of allowing the cooperative elements — the common interest — to dominate the competitive elements in a negotiation. In accordance with this approach, the negotiation process will be compared with a joint decision-making process in Chapter 3.

"Negotiation" is a more limited concept than "bargaining." Bargaining processes are less institutionalized than a negotiation process.¹⁸ The concept of negotiation suggests a more pronounced organizational structure. "Bargaining" can, for example, often encompass "tacit communication." (It should be noted, however, that tacit communication may even take place in the context of formal negotiations. For example, a party may refuse to participate in the negotiations for a certain period of time in order to indicate his disapproval of the course of negotiatory events.) But again, in the context of this study most types of institutionalized bargaining will be referred to as negotiation.

Conceptual Frameworks as Tools of Analysis¹⁹

A conceptual framework can be seen as an embryo to a theory. Every theory seems to contain a conceptual framework designed to serve as a classification instrument. The basic difference between a conceptual framework or a model on the one hand and a theory on the other seems to be the latter's greater predictive potential.²⁰

¹⁶ Iklé, 1964. Sawyer-Guetzkow, 1965.

¹⁷ This definition is based on the formulation employed by Sawyer-Guetzkow. See Sawyer-Guetzkow, 1965: 466.

¹⁸ See Iklé, 1964: 3 f.; and Walton-McKersie, 1965: 3.

¹⁹ Sjöblom, 1968: 12 f. Pruitt-Snyder, 1969: 6. The authors use the term "conceptual model." Bross, 1953, chapter 10. Dubin, 1969: 27 f. On the term "concept," see Bergman, 1957: 50. Petersson, 1964: 32. The author uses the concept "framework of inquiry."

²⁰ Sjöblom, 1968: 10. On the function of a conceptual framework as an instrument of classification, see Kalleberg, 1966; Sjöblom, 1968: 14; and Lundquist, 1972: 173. On the use of conceptual framework in system theory, cf. Easton, 1965: 27.

If the relationships between the abstracted entities of a conceptual framework are clearly defined and completely articulated, it is possible to speak of the existence of a model which in this study has not been equated with a conceptual framework. Instead, such a framework is seen as a preparatory construct necessarily preceding the formulation of a model, just as the construction of a model is seen here as preparatory work for the formulation of a theory.²¹

As noted above, the construction of a conceptual framework entails classification, which in turn requires that a series of theoretical choices be made concerning the level of conceptual abstraction and the extent of the areas which the concepts are intended to define. This in turn means that one must deal with the relationships between the phenomena which the concepts are designed to describe and with the distance between the level of conceptual abstraction and the "reality" delineated by these concepts.

The necessary simplification which any conceptual framework entails can, in the context of this study, be justified in the following way: In order to illuminate how a negotiation process functions, a series of factors which are irrelevant to that which is to be demonstrated must be eliminated or excluded, that is, abstracted from reality. The analytical utility of a conceptual framework which is the product of a series of abstractions lies in its power to isolate and illuminate carefully certain mechanisms. Concept formation can thus be seen as a provisional, interim solution preceding the ultimate formulation of a theory.

A conceptual framework and the theoretical issues which can be associated with the various abstracted phenomena defined by the framework can be seen as a guide in devising a theory of mediation. The conceptual framework presented in this study is thus intended to introduce a number of elements of a theory which are considered fundamental to a full-blown theory of the mediation process. Certain concepts discussed here are characterized by "overcapacity" since they can be used to conceptualize decision-making processes other than those specifically associated with mediation. (Cf. the subsequent analysis of resources, uncertainty, stages in a decision-making process, etc.)

A conceptual framework can serve as a valuable tool which can be used in grouping or organizing material in categories which one wishes to investigate. A conceptual framework can thus organize material in a way which facilitates the subsequent formulation of a theory. The conceptual framework employed in this study is designed to illuminate "critical elements" in mediation and negotiation processes.²² In this perspective, a conceptual framework can

²¹ Sjöblom, 1968: 12. The author characterizes his scheme of analysis as a "... systematic preparatory work for a theory" Lundquist, 1972: 173.

²² Sawyer-Guetschow, 1965: 513. See also Holsti, 1967: 13.

be seen as a descriptive scheme and thus fulfills a pedagogical function. But such a framework can also be seen as an instrument of selection which can be used to sort out relevant empirical material.²³

In addition, a conceptual framework serves as an orientation device. For one of the functions of such a framework is to sensitize the investigator to certain problem areas which seem highly relevant to a study of particular political phenomena. The conceptual framework points to the phenomena which seem most analytically fruitful to investigate and provides tools with which to analyze these phenomena.²⁴

The empirically oriented goals of this study include an attempt to add to existing knowledge concerning certain partial problems in the areas of arms control and disarmament. It should be noted, however, that any such empirical contribution to an understanding of these problems can only be marginal since the primary focus of the study is directed more at strategic factors than towards the factual substance of the negotiations. Any empirical information should thus be seen as a bi-product of the analysis. Instead, the most important objective in an empirical respect is an attempt to demonstrate that Sweden (and to a certain degree, the other non-aligned states) did engage in both multiple role-taking and mediation efforts.

It should also be noted that the analyst's choice of concepts may fundamentally color the reader's view of the phenomena being described. For example, the use of a concept such as "the joint decision-making process" in a study of the negotiation process implies that the analyst has taken a stand on the issue of whether a negotiation is characterized more by cooperative or competitive behavior.

Schemes of Conceivable Effects

In the analysis of a party's choice of strategy and strategic behavior, "schemes of conceivable effects" will be employed. Such schemes inventory and review a series of assumptions concerning both various effects resulting from the use of particular strategies and the effects of certain features of the negotiation process.

In this study, schemes of conceivable effects will be used as analytical tools designed to contribute to an explanation of overt strategic behavior.²⁵ The

²³ Ramström, 1969:105 f.

²⁴ Merton, 1957:9. Homans, 1967: Chapter 1. Young, 1968:20.

²⁵ The term "conceivable" does not describe "all theoretically possible" cases but only those effects which seem interesting and reasonable in a particular context. This analytical construction has to a certain extent been inspired by Sjöblom, 1968:267 ff., who, in connection with an analysis of coalition behavior, speaks of "probable yields" and "possible costs" for a party.

objective here is to strengthen the potential of the analysis to interpret the empirical material.

These schemes qualify the conceptual framework and can be used as a provisional, explanatory code. If the various concepts defined in the conceptual framework can be seen as classification instruments, these analytical schemes can be seen as interpretive, explanatory tools. Because these schemes may help explain why a certain party selects or rejects a particular strategy, they can be expected to contribute to an increased understanding of mediation strategies.

These schemes can also be employed as a tool facilitating the analysis of the extent and accuracy of a party's decisional calculus. For instance, they may suggest effects which the party probably has not considered in making his decision. In such cases, these schemes may even provide information about a party's risk-taking if they can offer clues as to whether or not a party was aware of the effects of a particular measure. These schemes can thus serve as a reasonable foundation on which to base estimations of a party's ability to make rational decisions. The relevance of these schemes depends to a great degree on the notion that in making a decision, a party evaluates the consequences of various alternative courses of action and, in doing so, usually feels impelled to give consideration to the different circumstances relevant to such an evaluation.²⁶

Positive and negative effects can be related to a party's perception of the advantages and disadvantages inherent in various elements of the milieu, for example, advantages and disadvantages associated with different types of strategy choices. Effects are favorable or unfavorable in terms of the degree to which they contribute to the realization of a party's goals. If a party is interested in the achievement of a negotiated settlement, he probably will view any effects which negatively influence the continued development of the negotiation process as disadvantageous effects.

In addition, schemes of conceivable effects can serve as an analytical tool facilitating the estimation of the extent of a party's freedom of action in which case restrictions on a party's chances of freely choosing strategies can be studied. In terms of a study of mediation, this is of great value since a mediator's conceivable tasks and the factors to which he must give consideration are, in this way, brought into clearer relief. In a similar fashion, any persuasive activities used by the mediator in an effort to prevent parties from choosing particular alternative courses of action can also be studied.

In addition to an explanatory function, these schemes also fulfill an orienting, informative function. The schemes may point out in a tentative way interesting aspects of conceivable consequences of particular strategies in a

²⁶ See Harsanyi, 1965:447.

number of cases in which these aspects were not illustrated in the empirical sections of the study. Thus, while providing alternative ways of interpreting the consequences of different types of strategic behavior, these schemes also indicate the complexities involved in a party's decision-making situation.

The question of the degree to which a party in a negotiation actually does reckon with conceivable effects or consequences of a particular feature of a strategy should, however, be examined in the light of the resources which a negotiation participant can muster in his efforts to neutralize overt negative effects and to exploit conceivable positive effects.

The Interplay between the Conceptual Framework and the Empirical Material

As mentioned earlier, the analytical approach of this study is "expository," that is, an approach which integrates explanation and description.²⁷

The empirical material will be analyzed with the aid of the categories prescribed by the conceptual framework. As previously noted, the objective here is to demonstrate the analytical utility of the categories of the conceptual framework by illustrating the existence of empirical data which are amenable to organization according to those categories.

The illustration technique can be said to be a provisional and conditional method of establishing evidence. An empirical, illustrative example can be characterized as a provisional indication of circumstantial evidence substantiating the identification and thus the existence of a particular phenomenon. In short, empirical illustrations demonstrate that concepts are linked with reality and substantiate possible assumptions about the relationship between concepts.

Illustrative examples can in some cases furnish complementary or additional information indicating the existence of relationships and mechanisms which the analyst had not expected to find. In such a case, the illustration can be said to be characterized by "overcapacity," that is, it describes more than was intended by its use.

In certain cases, illustrations can also serve to strengthen or weaken the plausibility of a hypothesis but can seldom be used to confirm or deny the validity of a hypothesis.

The empirical material treated in this study deals with disarmament negotiations. The parties participating in these negotiations were particularly interested in the problem of nuclear arms control. This was especially true in the case of the negotiations which led to the Moscow Treaty of 1963 concerning a partial nuclear weapon test ban, and the negotiations which

²⁷ On description and explanation, see Harré, 1967:3 ff.

resulted in the Non-Proliferation Treaty.²⁸ The Swedish efforts to influence the formulation of both these treaties will dominate the empirical sections of this study. And although these treaties actually dealt more with arms control than with disarmament, they will be analyzed from a disarmament perspective.

In addition, the data presented here deal to a great extent with the issue of control and verification which along with the problem of "balanced" disarmament seem to constitute the key points of the disarmament and arms control issues.

The selection of material has been influenced further by the special focus of the study — the mediation process. This means that particular attention will be given to Soviet-American disagreements (which often dealt with the control issue) and Swedish efforts to neutralize these disagreements through mediation. The primary purpose of the study, to prepare the way for a theory of the mediation process, can thus be said to have influenced the choice of the empirical material. The objective of strengthening pre-existing mediation theory is thus combined with the goal of empirically supporting the theoretical analysis.

As previously maintained, the empirical ambition of the study is to attempt to demonstrate the occurrence of certain types of strategies, not to attempt to establish how often a particular strategy occurs compared with some other type of negotiation behavior.

The choice of material has also been influenced by an interest in relevant general characteristics of the international system. An example of such a characteristic would be the security policies of most nations concerning classified material which constantly limit the flow of information on which foreign policy decisions are based.²⁹ Inadequate information (and thus knowledge) is a problem which seems to be more acutely experienced by small states which, in comparison with the superpowers (the primary negotiating parties), do not have the same possibilities of procuring adequate information concerning the often technically complicated national security problems which are usually the topic of discussion in disarmament negotiations. In light of this problem, this study will focus particularly on the element of uncertainty which characterizes the negotiation process under analysis. A participant's uncertainty about other parties' standpoints and expectations is probably a fundamental characteristic of all negotiations and seems to be a particularly striking feature of international negotiations dealing with the national security policies of the participating states.

²⁸ For a review of these negotiations and their results, see Jacobson-Stein, 1966. McBride, 1967. Dean, 1966 :81 ff. For a discussion of the non-proliferation treaty, see Sherman, 1968.

²⁹ McGuire, 1965.

Various methodological problems will be discussed in the following chapters, but a few introductory comments in this respect seem appropriate here.

Diplomatic language is difficult to interpret. Cautious and conditional formulations often characterize its usage.³⁰ Changes in positions and standpoints often take place slowly and are often signaled by vague and diffuse statements. In the case of a partially official negotiation complemented by organized informal consultations, this ambiguity presents a major analytical problem by complicating the analyst's task of interpretation. This study, however, will be undertaken on the basis of the following assumptions and presuppositions:

The official documentation of the negotiations, the negotiation protocol, will be employed as the basis for a systematic study of negotiation strategies. In addition, certain aspects of the factors and preconditions influencing the negotiation process will be studied.

This means that the results of the individual negotiation delegations' decision-making processes will be illuminated while the factors influencing these processes can be deduced only to a limited extent from the official formulations contained in the empirical material.³¹

Even if the formal ENDC negotiations were complemented by informal, closed negotiations, it is reasonable to assume that any informal agreements may often find a counterpart in formal settlements and that the arguments and motives surrounding the original, informal agreement are brought out in the official negotiation.

Such disclosures are necessary in order to inform the participants who did not take part in the informal consultations of the results of these secret talks. The need to inform the constituting authority (the UN), internal groups (domestic opinion), and other interested parties of the results of these consultations is also apparent, either for reasons of prestige or in order to portray other parties as being unwilling to negotiate.

According to this line of reasoning, then, the official version of the results of secret consultations do exist in documented form and are thus amenable to analysis. Methodological difficulties in carrying out a strategy study thus arise from the circumstance that the official documentation actually represents the final "product" of previously utilized negotiation strategies.

This analysis cannot, however, satisfactorily illuminate the decision-making process which precedes the official formulation of standpoints. Nevertheless, attempts will be made to deduce the factors affecting this decision-making process by analyzing the parties' strategic behavior as reflected in the docu-

³⁰ On "conference diplomatic language," see Kaufmann, 1968:167 ff; and Nicolson, 1963:219 ff.

³¹ Lundquist, 1972:94 ff.

mentation. In these cases, however, the conclusions drawn from this kind of analysis are admittedly of a speculative nature.

In most cases, the investigation will concentrate on areas of the text reflecting "open identification" characteristics, that is, textual segments in which the distance between subjective and objective images has been reduced to a minimum. These objective, explicit characteristics of the material are neither necessarily superficial nor insignificant. The parties' propensities to make concessions define the area within which changes in standpoints can be made and thus indicate the margin for negotiatory progress. These propensities can be partially identified by monitoring such indicators as the degree of ambiguity or precision characterizing the parties' standpoints or the existence of formal as opposed to provisional commitments.

In addition to the material mentioned above, statements or written communications from "qualified" sources will be employed. These sources provide a way of controlling interpretations made on the basis of the official material.

Statements and accounts from negotiation participants often constitute a defense of the activities of individual delegations and their subjective view of other parties' positions.

It should also be noted that the use of material apart from the official texts increases the risk of analytical imbalance in the sense that the primary focus of the investigation might then become concentrated in areas most completely documented by both the official and unofficial material.

For these reasons, such unofficial material will be resorted to only sporadically. Material apart from the official documentation will be employed as a "guide" helping to direct the analysis of the official material which will dominate the empirical sections of the study.

For similar reasons, a number of relevant individuals have been interviewed concerning the issues analyzed in this study. Here again, these interviews have served to orient or sensitize the investigator to major problems of disarmament negotiations. Specific items of information obtained in these interviews will neither be cited nor discussed in the analysis which follows.

Chapter 1

Mediation in International Negotiations

1.1. Introduction

The present chapter will present a number of basic concepts which are relevant to an analysis of negotiation and mediation and which will provide the basis for the following study. As the analysis unfolds in subsequent chapters, this conceptual framework will be continuously complemented.

This chapter will focus on a presentation and discussion of “strategy” and “mediation” terminology. In addition, the concept of “role” will be discussed in relation to an analysis of strategy. “Bargaining” and “mediation” strategies will be compared, and the connection between goals and means, as well as the relationship between substantive and strategic components, will be discussed. Particular attention will be devoted to what will be called “the strategic evaluation system,” as well as to a mediator’s strategic resources. In the final section of the chapter, the conceptual framework will be briefly related to Sweden’s strategic behavior in the ENDC negotiations.

1.2. Strategy and its Conceptualization

In this section, an attempt will be made to review the ways in which different authors have employed the concept of strategy. Even if the different ways in which the concepts of strategy (and tactics) have been used share certain common characteristics, they are also distinguished by significant differences. The concept of strategy has been employed in connection with studies of superpower strategy in the nuclear age, “goal-means” analyses of political party strategies, and game-theoretical approaches to the study of politics. The concepts “tactic” and “strategy” have been alternately employed in the literature on collective bargaining.¹ It should be noted, however, that these concepts have not always been explicitly defined by the authors who use them.

The authors contributing to the literature on military strategy have been

¹ Walton-McKersie, 1965: 58 ff.; Stevens, 1963; and Gustafsson, 1970, employ the concept “tactic.”

concerned to a great extent with the substance and theoretical purview of a conceptual definition of strategy. Beaufre argues that strategy is a "method of thought," or more precisely, "... the art of applying force so that it makes the most effective contribution towards achieving ... ends..."² Thus, Beaufre claims that strategy is the art of coordinating coercive resources in order to reach projected goals. This art consists in choosing among available means and combining these means in an appropriate way.

On the question of whether strategy should be considered a goal or a means, it has been maintained that

Strategies are themselves means to the attainment of objectives. They are means of a higher order of generality in scope and duration than 'tactical' measures, but they are not in themselves ultimate goals or objectives.³

Goal-means relations thus seem to be highly relevant to the analysis of strategy. Accordingly, the strategic decision-making process has been characterized as

...an actor's extensive and comprehensive planning of the use of available means with the object of attaining certain goals ...⁴

Simon has argued that the concept of strategy describes a series of decisions which "determines behavior over some stretch of time ..." ⁵ Even if it seems reasonable to assume that a strategy encompasses a series of decisions, situations may arise in which only individual, isolated decisions determine the party's strategic behavior.

In this analysis a distinction will be maintained between substantive decisions and strategic decisions. The former type refers to decisions concerning which goals will be sought. The latter type refers to decisions concerning how certain projected substantive goals should be attained.

In game-theoretical literature, the concept of strategy is employed in a somewhat different fashion. Thomas Schelling claims that

The term is intended to focus on the interdependence of the adversaries' decisions and on their expectations about each other's behavior.⁶

This kind of definition is relevant to any study of the negotiation process. In the context of an analysis of mediation, however, the definition seems

² Beaufre, 1965: 13, 22 f.

³ Garthoff, 1958: 3.

⁴ Sjöblom, 1968: 30.

⁵ Simon, 1965: 67.

⁶ Schelling, 1963: 3, 83. See also p. 15: "strategic behavior is concerned with influencing another's choice by working on his expectation of how one's own behavior is related to his."

Midgaard, 1965: 3: "The individual actor takes into consideration other actors' possible analyses and decisions – and in this connection, their assumptions concerning his own analyses and decisions."

somewhat narrow or misleading since the relation between a mediator and other parties should not be studied in terms of "the adversaries' decisions." Other participants in a negotiation do not seem to be primarily interested in influencing a mediator's expectations but instead seem mainly interested in influencing their chief competitors.

Schelling points out that it is in this respect that the game-theoretical concept of strategy differs from the military use of the concept. Concerning the formulation of what he calls the strategic plan, Beaufre argues however that strategy involves the ability to anticipate the opponents' possible reactions to measures which one intends to employ and the ability to parry these reactions.⁷ Even Riker emphasizes the connection between a player's choice of strategy and his evaluation of other players. Riker defines strategy as "... a complete plan of choice ..."⁸

Similar definitions have even been proposed in non-game-theoretical analyses. Thus, Dahl sees the concept of strategy as being synonymous with a plan of action. Like Sjöblom, Dahl emphasizes that this plan is formulated and carried out against a background of change and uncertainty.⁹

In another game-theoretical analysis, strategy is defined as "... a pre-planned program of moves ... in a game situation ... the term is not used to refer to an intention, attitude, or goal of a subject in playing the game."¹⁰

In this context it is also worth noting that it is not only game theoreticians who have discussed the connection between an actor's own strategic planning and that of his opponent. This link seems, for example, to have interested Beaufre to a great degree.

Rapoport defines strategy in the following way:

A strategy in game theory is a technical term with a precise meaning. It means a complete program given by a player before the game begins (say to a referee) stating what he will do in every conceivable situation in which he may find himself in the course of the game.¹¹

Because an analysis based on this definition would exclude the study of improvisation and the formulation and implementation of completely new strategies in the course of the negotiations, the definition seems too narrow to be of much analytical use in this investigation. According to the approach employed here, strategies are seen as being formulated in some cases after the

⁷ Beaufre, 1965: 25.

⁸ Riker, 1962: 35. Kaplan, 1957: 173: "A strategy is a complete description of the choices a player will make under any possible set of circumstances."

⁹ Dahl, 1961: 96. Sjöblom, 1968: 30.

¹⁰ Oskamp, 1971: 226 f. See also Vinacke, 1969: 71, 293-318. Kaplan, 1968: 487: " 'Strategies' are complete prescriptions for play that specify which move will be chosen for any move of the opponent(s) and for any possible state of nature."

¹¹ Rapoport, 1960: 142. Cf. also Midgaard, 1970: 224, where the author defines strategy as "a plan which offers a precept for those situations that may plausibly occur."

parties have defined the negotiatory situation.

Among typical strategic moves as described in game-theoretical analyses can be mentioned an actor's attempts to influence another actor's expectations through the use of threats and promises. A *threat* refers to a statement of an action designed to point out to an opponent the negative consequences of an action or a decision. It is assumed that these negative consequences are completely controlled by the threatening party. A threat is maximally effective if it entails only negative consequences for the opponent when realized.¹²

A *promise* refers to a statement or an action designed to point out to an opponent the positive consequences of an action or a decision. These positive consequences are assumed to be completely controlled by the party carrying out the promise.¹³

The purpose of these types of commitments is to influence the opponent's decisions by, for example, attempting to alter his expectations about how the party making the commitments may himself behave in the future. These commitments can provide the recipient with indications of the initiator's intentions, possibly combined with recommendations concerning the recipient's own political behavior.

These commitments reflect the will to inform the recipient of the initiator's intention to modify or reinforce the recipient's decisional calculus and expectations and to reduce the number of alternative courses of action available to the recipient.

Commitments refer to standpoints, decisions, and even actions which either completely or partially bind the initiator to immediate or future, negative or positive positions concerning a particular issue. Commitments are made for the purpose of convincing other parties or even other interested actors that the initiator intends to maintain his official standpoints by making it more difficult to abandon them. Thus, the initiator intentionally complicates the task of executing decisions other than those stipulated by the commitment.

Formal commitments refer, for example, to commitments confirmed through the signing of diplomatic treaties, adherence to treaty provisions or UN resolutions. In addition, decisions of national parliaments can also be considered as formal commitments. Formal commitments are explicit obligations and often clearly set forth motives and goals.¹⁴

Provisional commitments refer to informal commitments. These commitments can either include actual measures or statements which the recipient

¹² Iklé, 1964 : 62; Schelling, 1963 : 35 ff., 104, 120, 123 ff.; Boulding, 1962 : 253.

¹³ Schelling, 1963 : 43 ff. Schelling, in comparing the consequences of threats and promises, argues that "the difference is that a promise is costly when it succeeds, and a threat is costly when it fails."

¹⁴ Schelling, 1963 : 22 ff., 127.

Schelling, 1966 : 35 ff. Iklé, 1964 : 62 ff. Midgaard, 1965 : 31, 200. Snyder, 1961 : 241. Walton-McKersie, 1965 : 105 f.

may interpret as in some sense binding for the initiator even though the latter has in no way formally recognized any binding obligations. Statements of provisional commitments may be explicitly documented without for that reason guaranteeing that such commitments will be realized in the future. Depending upon its formulation, a provisional commitment can more or less bind the parties by making it more difficult to plead for different decisions in the future. A provisional commitment can be said to constitute an informal obstacle impeding any decisive changes in standpoints and positions. It does not, however, constitute any formal impediment to changes in standpoints.

A provisional commitment often seems to forebode future, more definite commitments. A party may use provisional commitments in an effort to communicate his intentions and goals to a recipient. In this case, the initiator partially binds himself in order to emphasize his resolution to realize his intentions without thereby wishing to surrender definitely the right to revise his views in the future. Provisional commitments can be both explicit and implicit. Unofficial preparatory activities can, for example, be interpreted as an implicit commitment.

Conditional commitments are said to depend on certain stated provisos or terms. Such commitments are flexible and will not be upheld unless certain conditions are fulfilled. This type of commitment may be declared to be dependent upon certain prerequisites.

Unconditional commitments are made without being qualified by special conditions. This type of commitment is categorical and will be upheld regardless of the actions of others or changes in external circumstances. Obviously, this does not exclude the possibility of construing reasons for "annulment" at a later date.

The following analysis will attempt to illustrate the significance of these types of strategic behavior as seen from a mediator's point of view. For even though these types of strategies cannot be considered typical mediation strategies, the possibility cannot be excluded that a mediator might employ threats to achieve his goals. Thus, after an extended period of fruitless mediation efforts, a mediator may threaten to discontinue all his efforts if the parties refuse to alter their negotiatory positions.

Only the concept "strategy" has been employed in this study. The concept "tactics" has not been used. In this way, otherwise continually recurring difficulties involved in distinguishing between tactics and strategy have been avoided. The definition normally associated with the concept of tactics — that is, a limited plan of behavior — will be interpreted here as the definition of a "substrategy," and in some cases the concept "technique" will be used.¹⁵ Later on in the analysis, all types of strategies, substrategies as well

¹⁵ See Sjöblom, 1968: 30. On the differences between tactics and strategies, cf., for example, Zacher, 1970: 3; Kerr, 1954: 236; and Jervas, 1971: 66.

as primary or principal strategies, will be analytically associated with various negotiatory situations, even though the substrategies may be subordinate parts of larger, overarching strategies.

The following "strategic concepts" will be employed in the subsequent analysis:

"Strategic decision-making" refers to a party's short or long-range planning of the measures which will be taken in current or future negotiatory situations. Strategic decision-making encompasses the determination of such issues as the worth of various resources, which means ought to be prioritized, whether measures should be taken in isolation or in combination, and how means and goals should be coordinated. Regarding the question of resources, it should be noted that if the party finds that he lacks adequate resources with which to carry through a particular action, his decision seems to be limited to a determination concerning the procurement of adequate resources. A party's strategic deliberations include estimates of which goals can be realistically pursued in a particular situation.

A strategy can be seen as the result of the strategic decision-making process.¹⁶ A strategic decision deals with a party's view of how available resources can be utilized and which means can be employed to attain projected goals. These goals can be substantive as well as strategic.¹⁷ A party's attempts to alter the negotiatory situation, for example, his efforts to lower the level of uncertainty surrounding a particular situation, provide an illustration of a strategic goal. If the party can definitely specify the type of knowledge which must be applied in a particular negotiatory situation, his goal is given a substantive content, even if the party is still mainly interested in strategic considerations.

The process of making a rational strategic decision is always characterized by an element of prognostication since, for example, the party must estimate the probable effects of certain measures.

A strategic decision can be said to deal with both how a particular strategy shall be formulated and also when it might most effectively be implemented: How — in what way — can the party attain his substantive goals? How can the party utilize his resources? How can the party coordinate his goals and means? How can the party attempt to alter the negotiatory situation? When should various strategic moves be initiated in order to be maximally effective?

The concept of strategy defined as a strategic decision constitutes a plan designed to indicate which measures will be taken in different negotiatory

¹⁶ On strategic and tactical decisions, see Ramström, 1967 : 420.

¹⁷ Cf. Simon, 1965 : 96. Simon distinguishes between "substantive planning and procedural planning." On strategic goals, see Sjöblom, 1968 : 78.

situations.¹⁸ A measure is here thought to be a means in a negotiatory context. Theoretically, there is no difference between a measure and a means. Indeed, they may be seen as synonymous. In this study, however, *means* is used when the analytical focus is on goal-means relations, and *measure* is employed to refer to the application of a means in a concrete negotiatory context. A strategy may include alternative courses of action designed for use in different types of situations. A strategy may be simple or composite, that is, it can encompass one or several measures.

Single strategy types can be studied within the framework of composite total strategies. That is, strategies can be designed to attain limited strategic goals as part of an attempt to achieve more comprehensive strategic goals. To summarize, a strategy refers to a party's plan for how he will create, inventory, and utilize available means which can be employed as measures in order to reach projected goals.

Strategies are a type of measure which in goal-means terminology should be seen as means used to reach a party's projected goals. Strategies as such can hardly be considered as goals. This type of means can be labeled "strategic means" or "strategic measures."

A strategy can be primarily offensive or defensive. In the former case, the actor strives to attain independently established goals. In the latter, the party attempts mainly to hinder other actors from achieving certain goals. This latter variant seems to be of particular interest to a mediator.

The expression "strategic behavior" refers to the party's application of the strategic decision, that is, the execution of the strategy.¹⁹ "Strategic behavior" is an expression used to summarize all the activities or strategic moves which can be deduced from the party's plan of action, that is, his strategy. In this analysis, the concept "activities" or "efforts" will be used to describe units or parts of the mediator's "strategic behavior." In the empirical sections of the study, the expression "the implementation and use of strategies" will also be employed in reference to a party's application or execution of a strategy.

It should be noted in this context that strategic behavior may only be a part of the strategic plan on which it is based. It seems reasonable to assume that in certain situations, it may be in the party's interest to conceal certain elements of his strategy.

1.2.1. Strategies as types of measures or means

If strategies can be interpreted as plans which stipulate the means or measures which are to be used in an effort to reach projected goals, then it seems possible to differentiate strategies on at least three different levels.

¹⁸ Petersson, 1964: 31. The author maintains that "the main component of the strategy is its prescriptive element."

¹⁹ Petersson, 1964: 31 f.

1. Strategies may stipulate the use of technical, practical measures which serve as tools or instruments such as, for instance, the use of organizational skills and resources.
2. Strategies may stipulate the use of substantive measures which can be seen as the outcome or result of the realization of a partial goal which in itself neither is nor has been of any independent value to the party. Like the measures in category 1, this type of measure serves as a tool. (For example, the measure may have been to establish a control or verification system in order to guarantee compliance with the provisions of a particular treaty.)
3. Strategies may also stipulate the use of measures which are the result of the achievement of previously projected goals and whose realization is stipulated by strategic considerations. A party employs this kind of measure in an effort to establish the means of reaching more comprehensive goals (partial disarmament results, for example). This type of means often has both a strategic and an independent, political value for a party (considered in relation to a party's ideological values and political goals). It should be noted, however, that the strategic value of a certain outcome may only be discovered after the outcome has already occurred. This type of means is more than a mere tool used for the realization of other goals. An approach stressing an analysis of strategy suggests that substantive partial goals should be seen in terms of how they affect a party's ability to reach other, more far-reaching goals.²⁰

1.2.2. Comments on strategic and substantive goals

It should be noted that the same phenomenon can constitute both a goal and a means. A particular phenomenon should be classified as a goal or means depending upon both the time perspective from which the phenomenon is viewed, and whether the phenomenon can be related to ideological values or to some standpoint with intrinsic political value.

If a party attempts to use a means in an effort to reach a particular goal, it is always reasonable to analyze this means in strategic terms. The choice of the means can depend entirely or partially on strategic considerations.

The choice of a substantive means may have been based solely on strategic considerations, that is, no values which might, for example, satisfy the party's ideological demands are realized. The establishment of certain practical arrangements such as the organizational and procedural structure of the negotiations is an example of this kind of means.

All the definitions given above seem to share one common element — the

²⁰ Lundquist, 1972: 25, 50. The author uses the concept "intermediate goals."

party formulated one or several goals, one of which was the result of a basic substantive decision. As the empirical material will indicate later on in this study, this observation can be elucidated in the following way: A participant had decided to strive for the goals of disarmament and arms control (goals which in turn can be seen as means to reach the goal of peace). In addition, the empirical material indicates that in regard to the disarmament issue, a purely strategic decision had been made, that is, the participants had decided to attempt to attain the goal of disarmament through the use of organizational means provided by a negotiation.

A goal can be analyzed in terms of the question: Why does a party holding certain values seek a certain substantive goal regardless of its possible strategic implications? The same goal can, however, also be studied in strategic terms. For example, what impact does an attempt to realize a certain goal have on a party's subsequent ability to achieve other, perhaps more comprehensive goals?

Whether a decision should be analyzed from a strategic or substantive perspective depends upon whether the party considers the goal as a temporary, partial goal or as a long-range goal, possibly even a final goal. A strategic approach becomes more analytically fruitful if it can be established with any reasonable degree of certainty that the party is not primarily interested in the substantive goal and does not ascribe any intrinsic worth to the result itself. It is usually difficult in analyzing international political problems to define conclusively any type of ultimate goals which international actors strive to realize. This means that it is difficult to determine with certainty where in the goal-means hierarchy the analysis should begin which in turn means that it is difficult to classify a phenomenon as either a goal or a means.²¹

In contrast to a strategic decision which corresponds to a "how question," a substantive decision corresponds to a "what question." What does an party wish to accomplish in a particular political area?

The following points should be noted regarding the connection between the strategic and substantive components of a decision:

A rational party should seek to design his strategy so that a) substantive goals are reached without simultaneously altering previous substantive decisions; and b) past strategic decisions of a permanent nature are not affected.

This last stipulation means that a strategy cannot be formulated in such a way as to counteract previous strategic decisions. Thus, a continuity factor often seems to influence a party's strategic behavior. A party seems to avoid making strategic decisions which might neutralize past primary strategic decisions. Accordingly, the strategies which are employed in the course of the negotiation should not conflict with the primary decision to utilize or

²¹ On goal-means chains, see Lindberg, 1971 :45. Lundquist, 1972 :50.

test out negotiations as an organizational measure for reaching certain substantive goals.

A substantive decision which can be related to components of a system of ideological values can be in latent conflict with strategic decisions related to components of a strategic evaluation system. Subsequent sections of this study will focus on an analysis of this strategic evaluation system.

Substantive and strategic components differ from one another in that the strategic evaluation system can stipulate the choice of standpoints which fulfill a demand such as, for example, the maintenance of continuity regardless of situational change, while the ideological system of values may stipulate changing one's standpoints if such changes facilitate the achievement of goals which are compatible with the party's ideological values. This kind of competition seems to increase in the case of substantive decisions which are made on the basis of strategic considerations.

1.2.3. The strategic evaluation system

It will be assumed here that in addition to an ideological value system, there exists a strategic evaluation system. This strategic evaluation system can be thought to consist of a frame of reference containing strategic principles which guide or influence a party's strategic decision-making and his strategic behavior.²² These principles thus seem to be related to a series of evaluations as to what constitutes an effective strategy, for example, evaluations of the type: "Consistent behavior inspires a counterpart's confidence." The function of the strategic evaluation system is to provide guidelines as to how strategies should be designed in order to reach projected goals most easily.

The analysis will focus on both the values upon which a mediator's strategic evaluations are based and the values which the mediator believes are held by the mediation objects and which the mediator either attempts to adapt to or tries to influence and change.

The concepts which follow are relevant to an analysis of the difficulties and/or opportunities which confront a mediator in his efforts to achieve results. The concepts may also serve as a basis of explanation as to why a mediator behaves in a particular way.

The *precedent principle* refers to the view that the types of solutions which have proved successful in the past ought to be prioritized in considering solutions to similar problems in the future.²³

It is quite conceivable that both strategy and strategic goals change if, for example, a certain strategy proves to be either particularly successful or

²² Cf. Frankel, 1963 : 112, 139 ff. The author speaks of "principles of behavior." On behavioral norms, see Rhenman, 1967 : 60. Pruitt-Snyder, 1969 : 182.

²³ Rhenman, 1967 : 60. Gustafsson, 1970 : 51. Iklé, 1968 : 120.

useless in solving certain types of problems. It is also conceivable that experience gained from the use of certain types of strategy also alters a party's view of which substantive goals are possible to attain.

The precedent principle and the continuity principle are similar in certain respects. For example, both principles are related to a party's past experience. A party's interest in the precedent principle also seems to be related to the process of making prognoses. The parties' task of predicting the course of future events is facilitated by the existence of a general consensus that certain types of problem-solving procedures ought to be employed on a regular basis throughout the negotiation. It is quite significant in this context whether or not the strategic and ideological components are compatible. A positive attitude towards the precedent principle is particularly interesting due to the conserving effect which past experience has on the parties' strategic behavior.

The *strategic evaluation of compromise* as a strategic means should also be noted.²⁴ A detailed analysis of the characteristics and mechanisms of compromise processes will be undertaken in Chapter 7. But a few introductory remarks concerning compromise can be made at this point in the study.

From a strategic point of view, *compromise* can be seen as a mode of resolving disagreement in such a way that the parties' negotiatory standpoints and positions are synchronized to a degree which insures the actual achievement of an agreement.

A *compromise solution* is the product of a compromise, that is, the result of changes in the parties' earlier negotiatory positions which provide for the realization of an agreement. Thus, a compromise solution is a type of agreement. Compromise solutions are usually achieved through mutual concessions made by the parties involved in a conflict.

An *area of compromise* refers to all possible compromise solutions in a certain negotiatory situation.

A *concession* is a change or revision in a party's negotiatory position which brings that position nearer the position held by another party.

A *propensity to make concessions* refers to a party's willingness to change his original standpoints and positions in order to meet other parties' demands.²⁵

A party's choice of *standpoint* means that the party has "chosen one of two or more possible alternatives regarding some question."²⁶ A *negotiatory position* refers to one standpoint or a constellation of standpoints regarding some question or issue seen in relation to other parties' negotiatory standpoints. The formulation and choice of standpoints and positions can be based on strategic as well as substantive considerations.

²⁴ Rhenman, 1967: 60.

²⁵ For definitions of compromise, see Iklé, 1964:104; and Lasswell, 1949:147. On the definition of concession, see Iklé, 1964: 104 f. Walton-McKersie, 1965: 87 ff.

²⁶ Sjöblom, 1968: 101 f. On standpoints as negotiatory positions, see p. 104.

It should be noted that a party may have chosen a standpoint regarding a particular issue without revealing this fact to other parties in the negotiations. The party may be interested in waiting until other parties have made their standpoints official before publicly disclosing his own standpoints. It is also conceivable that a party attempts to influence the standpoints which he believes have been chosen by other parties but which these parties have not yet made public.

Compromise can be related to both a party's strategic evaluations and his ideological values. Thus, a party in a negotiation can consider compromise to be an effective and necessary way of reaching any kind of substantive goal. But the same party's attitude towards compromise can also be characterized by ideological values such as: "The standpoints and goals of an opponent should be considered regardless of whether it is advantageous or not to do so." It should also be noted that attitudes towards compromise touch on the parties' views of the *status quo*, concessions, and retreats.

The *credibility principle* is based on the view that in all rational strategic planning a party must remember that the effectiveness of a proposal is dependent upon how credible the recipient considers it to be. This principle seems to be superordinate to a number of other strategic principles within the framework of the strategic evaluation system.

The credibility principle can be said to encompass two basic requirements, namely, demands for truthfulness and effectiveness.²⁷ The *requirement of effectiveness* emphasizes the necessity of a party being able to carry out decisions or live up to standpoints and positions (being able technically to implement a particular proposal, for instance).

For a mediator, credibility may be based on the characteristics of his practical proposals and recommendations. In this case, the recipients' evaluation of the effectiveness of these proposals determines the degree of credibility.²⁸ Because commitments must be matched by an ability to carry them out, the possession of and ability to use resources skillfully also play a major role in determining how effective and thus how credible a certain proposal may be. For a party playing a bargaining role, threats and promises must be matched by the ability to realize these commitments.

The *requirement of truthfulness*: The credibility principle stipulates strategic behavior which portrays the party as truthful or which convinces the recipient that proposed, rejected, or already initiated activities are seriously meant. This requirement can refer to the degree of compatibility between expressed intentions and practical preparations.

²⁷ On the concept of credibility, see Iklé, 1964: 78; and Singer, 1962: 57 f. On credibility and goals, see Kissinger, 1958: 115 ff.; Schelling, 1963: 120 f.; Schelling, 1966: 36 ff.; and Midgaard, 1965: 203.

²⁸ Sjöblom, 1967: 93. Sjöblom argues that credibility implies that a proposal be technically viable and that a party be truthful or honest. Cf. also Sjöblom, 1968: 148.

An important element in the technique of establishing credibility is the choice of milieu and circumstances for the introduction of initiatives and the demarcation of positions.²⁹ A promise made during informal consultations is easier to abandon than a promise which is made official in an open, public context. In the latter case, the risk for a loss of prestige is greater than in the former, and this risk may be interpreted by the recipient as an indication that the promise was seriously meant.³⁰ Generally speaking, a policy which is clearly demarcated and stabilized by commitments increases the credibility of the explicit substantive goal of the policy.³¹

Another important activity helping to establish credibility is the synchronization of a party's declared goal with his actions. Thus, a party introducing a nuclear disarmament initiative ought to insure that national nuclear weapon security policy is synchronized with the goals which have been accepted by participation in the disarmament negotiations.

The *continuity principle*: This principle prescribes the use of activities which are intended to insure that continuity is maintained in goals, evaluations, and standpoints. This principle is based on the view that credible behavior is consistent behavior. Extended to its logical extreme, the continuity principle stipulates that no changes may be made in positions.³²

In the literature on negotiation, the concept "bargaining reputation" has been analyzed from a similar perspective.³³ According to the view commonly presented in this literature, marked retreats from positions and an inability or refusal to carry out previously promised actions weaken the responsible party's negotiation reputation.

In all probability, however, a party can make relatively significant adjustments in his positions without his negotiation reputation suffering negative consequences. Thus, the requirement of complete continuity does not always have to be fulfilled. The risk of suffering reduced credibility may be moderated or neutralized by claiming that actual conditions have changed. It has also been argued in the literature that one of the mediator's tasks is to provide the parties involved in a dispute with a way to retreat gracefully from commitments, that is, a way to "save face."³⁴

Credibility is thus evaluated in relation to actual conditions. If conditions have been fluid, then room exists for changes in standpoints and positions. If circumstances have been static, however, the risk is great that possible changes may be interpreted as a break with previously consistent behavior

²⁹ Snyder, 1961: 251.

³⁰ Iklé, 1964: 85, 134. Schelling, 1963: 28 f. Midgaard, 1965: 31.

³¹ Snyder, 1961: 246. Iklé, 1964: 8, 10-11, 15-16.

³² Molin, 1965: 146.

³³ For a general discussion of "bargaining reputation," see Schelling, 1963: 14, 25, 36 f. Iklé, 1964: 24, 63, 76-86.

³⁴ Stevens, 1967: 283 f.

and thus negatively affect a party's negotiation reputation. If these assumptions are correct, they are quite relevant to a study of the negotiation process.

For a break in continuity to occur, a change of positions must take place which is in some sense unmotivated. The continuity principle thus demands that some kind of driving motive generate an adjustment of positions.

It should be noted that the continuity principle has greater relevance to the actions of a party playing a bargaining role than for a party acting as a mediator. In the latter case, flexibility and inventiveness in formulating proposals and recommendations are at a premium. By contributing to the creation of technical solutions which confront the parties with an altered set of circumstances, a mediator may neutralize disagreement by providing the recipients with an excuse to free themselves from the strictures on behavior stipulated by the continuity principle. This reservation should not, however, obscure the utility of continuity as a behavioral principle for a mediator who, in certain situations, wishes to stabilize other parties' expectations concerning a particular type of behavior.³⁵

The *principle of impartiality* is based on the view that an impartial mediator is an effective mediator, that is, one who does not openly and in a biased manner side with any of the parties involved in a dispute.³⁶

Mediation proposals which coincide with the apparent subjective interests of the mediator seem to complicate his task. For example, if a mediation proposal suggests a solution which supports previous demands for compensation made by the mediator while acting in a bargaining role, the recipient may question whether the proposal has been made merely in an attempt to mediate. The recipient can challenge the mediator's credibility by questioning his impartiality.

The *acceptability principle*: According to this principle, every decision or initiative should be preceded by an estimate of what the recipient is reasonably able to accept.³⁷ The acceptability requirement refers to both the political contents of a particular substantive issue and a party's view of other parties' strategic evaluation systems.

The principle stipulates consideration of the recipients' respective decision-making processes in both a substantive and strategic respect including, for example, a willingness to fulfill some of the recipients' interests, demands, and desires.

Making unrealistic demands (for example, demands which completely neglect the recipients' viewpoints) is symptomatic of a lack of interest in a

³⁵ Young, 1967 : 85. The author classifies continuity as a type of resource or capability, arguing that "It is generally desirable that an intervenor be an established factor in international politics and that it display a certain continuity."

³⁶ On impartiality, see Young, 1967 : 81.

³⁷ Myrdal, 1966 : 10. Boulding, 1962 : 17, 86.

negotiated settlement in general. Obviously, discussions dealing with the issue of which demands are to be considered realistic often take place within the context of the negotiations themselves, and attempts may be made to modify the parties' conception of what they are able to accept.

1.3. Mediation in Negotiations

1.3.1. Mediation and its conceptualization

The traditional view of mediation pictures the mediator as a third party.³⁸ This view is characteristic of all well-known definitions of mediation. Thus, Burton argues that "Mediation implies the participation of a third party in negotiations between the parties."³⁹

The literature on mediation has portrayed a third party as an actor who intervenes only after a conflict or dispute has already occurred. In this case, mediation is defined as "A peaceful settlement procedure whereby a third party aids the disputants in finding a solution"⁴⁰

Sometimes the terms "outsider" and "third party" are used synonymously, and it is argued that such actors do not participate in the actual conflict or dispute. According to Douglas, mediation can be initiated either voluntarily or at the request of the conflicting parties:

Mediation is a form of peacemaking in which an outsider to a dispute intervenes on his own or accepts the invitation of disputing parties to assist them in reaching agreement.⁴¹

Stevens interprets the connection between mediation and the third party criterion in a similar way but argues that it is doubtful if this criterion is a sufficient classification instrument: "For example, is a third party who simply 'observes' negotiations . . . properly said to be mediating?"⁴²

It has also been maintained that the concept of "intervention" should be seen as an active phenomenon: "It is an active rather than interpretive role."⁴³

Some authors define mediation on the basis of relatively precise descriptions of particular types of activities. Certain analysts have interpreted the mediator's task as "offering substantive suggestions" or as presenting compromise proposals.⁴⁴ Conversely, other authors argue that a mediator is not allowed

³⁸ Kerr, 1954: 236.

³⁹ Burton, 1969: 154.

⁴⁰ Plano-Olton, 1969:218. Walton-McKersie, 1965:159. Barkun, 1964:126.

⁴¹ Douglas, 1957: 70.

⁴² Stevens, 1963: 124.

⁴³ Burton, 1969: 154.

⁴⁴ Plano-Olton, 1969:218. *Some Aspect of Mediation*, 1970:16.

to propose his "own solutions."⁴⁵

Occasionally, mediation has been characterized on the basis of the mediator's goals, that is, expressed in the terminology of this study, his strategic goals.⁴⁶ The mediation process has also been analyzed in terms of the kinds of situations in which it is most likely to occur, for example, "... in circumstances in which the parties are not willing to meet to negotiate..."⁴⁷

In addition to the concept of mediation, the concepts "conciliation and arbitration" are occasionally employed. Sometimes conciliation and mediation are seen as synonymous. Sometimes certain basic distinctions are made between the two concepts. Thus, it has been argued that conciliation is a more formalized type of diplomatic and political strategy than mediation.⁴⁸

1.3.2. Preventive mediation and acute mediation

On the basis of the review just presented, *mediation* will be defined in the context of this study in the following way: Mediation is the process initiated by a third party in his attempts to facilitate the solution of other parties' disagreements in order to insure the achievement of a negotiated agreement.⁴⁹ In an accordance with the previously employed "strategy terminology," a *mediation strategy* refers to a third party's plan for how he is going to help other conflicting parties reach agreement.

The use of these plans or strategies can be defined as *mediation activities or efforts*.

A *mediator* is a third party who produces plans for how agreement between conflicting parties can be facilitated. *Mediation behavior* is a general expression which can be used to describe a pattern of mediation activities. In a negotiatory context, *acute mediation* refers to a mediator's efforts to resolve a conflict or disagreement which has already occurred.

Preventive mediation refers to a third party's efforts to prevent disagreements from arising between other parties participating in a negotiation. Preventive mediation can also be interpreted as a third party's attempts to

⁴⁵ See Lerche-Said, 1970: 153.

⁴⁶ Stevens, 1963: 125.

⁴⁷ Burton, 1969: 155. On similarities and differences between mediation and conciliation, see Iall, 1966:12. *Encyclopedia of the Social Sciences*, Vol. 4, 1949: 165. (B.M. Squires).

⁴⁸ Burton, 1969: 152 f., 155. On the differences between mediation and arbitration, see Douglas, 1957: 70. Dunlop-Healy, 1953: 40. Kaufmann, 1968: 169. Kaufmann argues that it is difficult to distinguish mediation from conciliation in a negotiatory context: "In conference diplomacy conciliation is mostly an implicit process, hardly distinguishable from the process of negotiation leading to consensus." Cf. also Cot, 1972: 8 ff., 31 ff.; Stone, 1965: 71; Stone, 1968: 509.

⁴⁹ See Jensen, 1955: 572. Jensen also discusses the differences between various "third party" concepts.

intervene while the level of conflict is still low, before disagreements have become major obstacles impeding the achievement of a negotiatory solution. In contrast to acute mediation which is "present-oriented," preventive mediation can be seen as "future-oriented." A detailed analysis of preventive mediation will be presented in Chapter 6.

Mediation is thus the process expressing strategic behavior designed to neutralize the obstacles which prevent the achievement of an agreement. Mediation differs from other strategic processes in the respect that the party who initiates mediation (the mediator) is a third party in relation to the disagreements which mediation is intended to neutralize.

Third party in this study merely refers to a party who does not directly participate in a particular conflict with explicitly formulated negotiatory positions.⁵⁰ Third party does *not* refer to a party who has no self-centered interest in the conflict. According to this approach, a mediator may have a definite partial interest in a particular solution, even if for strategic reasons the mediator considers it inappropriate to reveal such interests.

Whether a third party should be considered as totally disinterested or whether a mediator (if a mediator is considered to be a third party) must fulfill the requirement of disinterest or impartiality in order to be classified as a mediator are both questions of major significance in all analyses of mediation.

If mediation is seen as the process by which a disinterested third party intervenes in a conflict, it is extremely difficult to find examples of such mediation activities in international politics. It is particularly difficult to find such examples in a negotiatory context in which one of the participants attempts to "mediate" between other participants involved in the negotiation.

On the contrary, it must be assumed that when a state mediates in a dispute involving other states, the mediator always has a more or less marked interest in the substance of the various alternative solutions under discussion.

If a mediator has a significant interest in the substance of an agreement, his impartiality may be questioned, and his efforts may lose their effectiveness. But it may also be true that the recipients may consider the information which they receive from the mediator to be more reliable if they believe that the mediator is actually interested in the substance of an agreement.

An alternative approach would be to consider impartiality based on disinterest as a desirable or ideal characteristic of a mediator or an important resource for a party with mediation ambitions. The analysis of multiple role-taking in this study will indicate that a party temporarily acting as a mediator can have a special interest in the substantive result of the

⁵⁰ Harsanyi, 1969: 522: "... third parties whose interests are not directly affected will find it natural to assess the situation in terms of general impartial criteria."

negotiation, i.e., the final agreement.⁵¹ If it seems plausible that a participant in a multilateral negotiation may play several roles and attempt to fulfill several functions (among others, a mediating function, for example), it seems unrealistic to expect a party to consistently seek to act in an impartial manner. There is reason to concur with the following statement:

Although mediation, conciliation and arbitration are generally thought to be performed by outsiders or neutral parties, both mediation and conciliation are frequently carried on by the interested parties themselves.⁵²

In the future it will be assumed that a third party with mediation ambitions can be a party with an obvious self-centered interest in both the achievement of a solution and the specific substantive content of the solution. Whether this kind of egoistic self-interest complicates mediation efforts is a question which remains to be answered and one which will be treated in the following analysis.

Defining mediation restrictively as a third party's attempts to facilitate mutual adjustment between two other parties seems to narrow the purview of the mediation concept to an unnecessarily great degree. For example, a mediator may merely make an effort to persuade a party to refrain from taking certain positions. Therefore, it seems inappropriate to equate mediation with compromise.⁵³

The final concept to be introduced here is "*mediation object*," which refers to the party or parties whom the mediator attempts to influence.⁵⁴ In the empirical sections of the study, these mediation objects are represented by the primary parties, that is, the United States and the Soviet Union. Mediation objects, when they are not exposed to mediation efforts, will be called "potential mediation objects."

1.3.3. The characteristics of the unauthorized mediator

The characteristics of the unauthorized mediator will be discussed briefly here while being more fully dealt with in connection with a comparison

⁵¹ Young, 1967: 98. On multiple role-taking, see Walton-McKersie, 1965: 284: "A negotiator can be seen as occupying several roles simultaneously . . . the primary role of the negotiator is that which is sent from within his organization." See also Kahn-Wolfe-Quinn-Snoek-Rosenthal, 1964: 13 ff; and Zalesnik, 1965: 589.

⁵² *Encyclopedia of the Social Sciences*, Vol. 4, 1949: 165. (B. M. Squires) On the concept of role, see also Selznick, 1966: 65 ff., 82 ff. On mediation and the role of third parties, see Burton, 1969: 60 f.

⁵³ Cf. Douglas, 1962: 3. Cross, 1969: 197. Cross claims, however, that "If the third party . . . is known also to be concerned with the specific properties of the settlement, he will not be acceptable as a mediator . . ." Warren, 1954: 295: "Unlike the parties, the mediator is not concerned with the contents of the settlement."

⁵⁴ Sjöblom, 1968: 31 f. The author uses the expression "influence objects."

between international disarmament negotiations and labor-management negotiations in Chapter 2.

The unauthorized mediator's task is not guided by any formal rules with exception of the possible general provisions prescribing the organizational structure and procedures for the negotiations. The unauthorized mediator has voluntarily chosen his task. No formal organization (the UN, for example) has designated a particular party as an official mediator.

In contrast to a mediation commission in labor-management negotiations or an official UN mediator, the unauthorized mediator intervenes when he himself finds it appropriate. The unauthorized mediator may also discontinue his efforts when he sees fit and subsequently play other roles in the same negotiation. The unauthorized mediator is not responsible to any higher authority and may independently choose his strategy.

The unauthorized mediator cannot always expect the mediation objects to furnish him with information. Thus, the superior quality and quantity of information which has occasionally been ascribed to an authorized mediator is not normally possessed by an unauthorized mediator.⁵⁵

The above characteristics seem, to a certain extent, to throw a different light on the traditional concept of "role" as describing one party's expectations concerning the behavior of another party. It has been argued that different positions are assigned to the members of a social system. These positions are associated with expectations concerning the behavior of the parties who occupy them.⁵⁶ In the case of "authorized," formal role structures, it is relatively easy to predict the type of strategy which a party occupying such a role will choose. It is more difficult, however, to predict the unauthorized mediator's strategic behavior. The unauthorized mediator may add to the number of pre-existing expectations by attempting to create new expectations. In the case of an unauthorized mediator, the concept of "role" refers not only to pre-existing, routinized behavioral patterns made predictable by pre-existing expectations. It also refers to new, innovative behavioral patterns made predictable by a previously non-existent set of expectations which a party attempts to establish by fulfilling a function in a new, previously unexpected way. In addition, these innovative behavioral patterns can be based on pre-existing but latent expectations which the party attempts to stimulate by the particular way in which he fulfills a certain function.

It should be noted in this context that other parties may have inconsistent and incompatible expectations concerning the behavior of a party attempting to play a mediating role. In addition, other parties' expectations may be incompatible with the expectations "the mediator has concerning his own

⁵⁵ Stevens, 1963 : 144.

Burton, 1972 : 7.

⁵⁶ Selznick, 1966 :83. Gustafsson, 1971 :95 ff., 99.

role.”⁵⁷ The analysis will therefore focus to some degree on the ways in which a party attempts to play a certain role, that is, the ways in which he attempts to maintain a particular role function.

It should be noted in this context that a party with partial mediation ambitions who perhaps tries to play several roles simultaneously may find it strategically advantageous to conceal his ambition to act as a mediator. It is thus argued here that a party may attempt to play various roles, e.g., a bargaining role as well as a mediation role. An unauthorized mediator can, for instance, abandon his mediation role in the course of the negotiations and begin to maintain other role functions. Thus, a participant in a negotiation can act as a multiple role-taker.

When a party employs bargaining-oriented strategies while playing a bargaining role, his predominant interest is to insure that agreement is reached between other parties' standpoints and his own subjectively determined standpoints and demands. In this situation, the party specifies his own terms in order to facilitate the achievement of an agreement. This is not the case when the party plays the role of a mediator. As a bargainer, the party partially controls other parties' political desires to a greater extent than a mediator and is, in principle, willing to discuss the prerequisites for modifications of his own views in order to fulfill these desires. A bargainer's behavior is often characterized by a “give-and-take” mentality.

A schematic presentation of the basic differences between bargaining strategies and mediation strategies is given below.

The party as a bargainer	The party as a mediator
1. The bargainer has complete, formal control over the amount of concessions he is willing to make or to reveal to other parties. 2. The bargainer partially controls other parties' desires. 3. The bargainer controls sanctions and rewards by demanding support or concessions. This, in turn, allows him to regulate certain consequences of the recipients' alternatives.	1. The mediator cannot control the amount of concessions under discussion. 2. The mediator partially controls the recipients' desires, for example, by regulating the time point for mediation intervention. 3. The mediator does not directly control sanction and reward mechanisms, even if it can be advantageous in some instances to attempt to pressure the recipients through the use of these mechanisms.

⁵⁷ Israel, 1963 : 84 f. Asplund, 1968 : 88 ff.

The party as a bargainer	The party as a mediator
4. The bargainer specifies in a more or less explicit way the terms for his acceptance of a joint decision, i.e., either a partial decision or a "final" decision concerning the final agreement. 5. The bargainer formulates and articulates his own standpoints and commitments.	4. The mediator does not specify the terms for the acceptance of a certain agreement concerning either a final decision or a partial decision. 5. In certain cases, the mediator articulates standpoints and intentions, but seldom commitments. That is, the mediator does not bind himself to certain specific solutions. A mediator might, however, commit himself by pledging to continue his mediation efforts in the future. But again, the mediator is not likely to commit himself completely to any one type of behavior, particularly if he aspires to play multiple roles.

1.3.4. Mediation and the degree of role independence

In the following analysis it will be assumed that different types of strategies are more or less role-dependent.⁵⁸ This seems particularly to be the case in regard to subordinate strategies which are classified as subtypes of primary mediation strategies. A role-independent strategy refers to a strategy which can be utilized to promote completely different types of substantive and strategic goals. Thus, it can be expected that a bargainer as well as a mediator may employ persuasive strategies (argumentation, for instance) in order to reach his goals.

A role-independent strategy is a strategy which a recipient or an observer cannot directly associate with any specific role type and whose effectiveness does not depend on the recipient's judgement as to whether the strategy is an expression of any particular ambition or whether it can be related to any definite strategic goal. It seems reasonable to assume that the recipients' judgements on this point may vary during different stages of the negotiation process. If this is true, a strategy which is related to a certain role type in one negotiatory situation may be judged to be role-independent in other situations. The possibilities of identifying strategic goals and role functions seem to increase during extended negotiations.

If role refers to the total number of expectations which one party has concerning the behavior of another party, the recipient may find it difficult to identify the potential mediator's strategic goals if the mediator's efforts

⁵⁸ Kaplan, 1968 : 505 : "...arguments that are role independent ... will have a higher probability of carrying conviction than arguments that are not role independent."

are characterized by the use of role-independent strategies. This situation complicates the recipient's expectations concerning a particular party's strategic behavior.

The issue of role independence will be discussed more extensively in Chapter 5 in connection with an analysis of search strategies.

A role-dependent strategy is a strategy which, if it is utilized, "should" be adapted to the requirements and possible strategic evaluations associated with a certain role type. (A mediator "should" be impartial, for example.) If the strategy is role-dependent, its effectiveness can be said to depend on whether the recipient sees the strategy as compatible with the characteristics which can be ascribed to a particular role type.

A third party's presentation of a compromise proposal directed towards two parties in conflict exemplifies a role-dependent strategy. The effectiveness of such a proposal seems to depend to a certain extent on the way in which the recipient interprets the initiator's role characteristics.

Certain substrategies seem easily identifiable and can be readily associated with a certain role type. Thus, coercive strategies (threat strategies, for instance) combined with provisos which can be related to a party's substantive goals can be associated rather easily with a bargaining role. Other strategies (persuasive or information-seeking strategies, for example) can be utilized by parties seeking completely different goals, that is, by both bargainers and mediators.

Role ambiguity may occur if the same party plays differing roles simultaneously or within the context of a single negotiation. In this case, the observer is unsure as to which role function a party wishes to maintain.

1.3.5. The mediator's strategic resources

The rationale for focusing on resources in an analysis of negotiation should be apparent. The resource factor seems to be quite relevant in an analysis of international diplomacy, for example, in connection with the study of credibility and a mediator's potential for reaching projected goals.⁵⁹ In a bargaining role, the resource factor plays a significant part in the utilization of threat and promise strategies. And in a study of mediation behavior, it is of fundamental importance to analyze the resources used by parties in their efforts to reach projected goals. A party's access to resources conditions to a great extent his potential for achieving results or gaining influence. The potential to act effectively in different roles varies with the availability and quality of resources.

⁵⁹ On capabilities in diplomatic negotiations, see Holsti, 1967: 228. See also Deutsch-Krauss, 1960: 181: "Bargainers are more likely to reach an agreement, the more resources they have available"

"Resources" refer to assets which a party considers usable in various contexts and which can be transformed into suitable means in different situations.⁶⁰ Resources can be seen as latent means. Means are resources which are utilized or implemented in order to reach a particular goal.

Resources can be either material or immaterial. For instance, political stability, an established negotiation reputation for impartiality, or expertise in a certain area are all examples of immaterial resources.

The mediator's resources thus consist of those resources which he considers usable and which he can utilize in order to achieve projected strategic goals. Neutrality can have an impact on other parties' estimation of the mediator's impartiality, a significant strategic evaluation.

In most situations the existence of a meaningful role for a third party will depend on the party's being perceived as an impartial participant . . .⁶¹

The relation between neutrality and impartiality has been discussed in the literature, and it has been debated to what extent a formally neutral party is actually impartial. This discussion has dealt with the role of neutral states in international negotiations as well as "expert mediators" in a collective bargaining context.⁶²

If a reputation for impartiality is seen as a resource, a party representing a state with a neutral foreign policy who attempts to maintain several role functions in addition to an unauthorized mediation role cannot automatically expect other parties to consider him impartial merely because he represents a neutralist nation. In this respect, then, a neutral state seems to have less potential to make credible his reputation for impartiality than an authorized mediator (appointed by the UN, for example) in whose case possible reservations concerning partial interests seem to be relatively limited.

In the analysis which follows, however, attention will be given to other types of resources of the technical and scientific variety plus the resource of internal national unity.⁶³

⁶⁰ Dahl, 1961: 226: "... a resource is anything that can be used to sway the specific choices or the strategies of another individual." On control of resources, see Dahl, 1964: 32, 69 f. See also Petersson, 1964: 25. The author confines the concept of capability to "physical capacity" and argues that capability "is based on the possession of or control over certain concrete material resources." On "capabilities," see Sjöblom, 1968: 38. Lundquist, 1972: 30.

⁶¹ Young, 1967: 81 f. The author also discusses the concept of "subjective impartiality." Claude discusses the UN's military peacekeeping force in relation to the belief in its neutrality. Cf. Claude, 1963: 117 ff.

⁶² Douglas, 1962: 107 f. Stevens, 1967: 280 f. Cross, 1969: 116. Ahmed, 1967: III. Converse, 1968: 523 ff.

⁶³ Walton-McKersie, 1965: 205.

1.3.6. ENDC and Sweden's strategic and substantive goals

The first and most basic decision which Sweden made was the decision to participate in the ENDC negotiations. In this way, Sweden wished to test out the possibilities for achieving some form of disarmament or arms control through the strategic means of negotiations. The original strategic decision seems to have been based on ambiguous substantive goals.

1.3.6.1. *Goals related to Sweden's mediation efforts*

During the ENDC negotiations, Sweden attempted to play a mediating role in order to facilitate the achievement of different types of agreement. In the initial stage of the negotiations, Swedish Foreign Minister Undén maintained that

... other members (besides the great Powers) of this Committee may feel obliged to put forward proposals or compromises of their own... perhaps it would be possible for a number of delegations to agree upon certain specific recommendations, especially those that hold out hope of serving as a basis for compromise, even though they may not have been acceptable previously to either of the great powers.⁶⁴

As this statement indicates, the Swedish delegation saw "the great Powers" as the primary mediation objects. In the analysis which follows, the super-powers (i.e., the Soviet Union and the United States) will be designated as the "primary parties" in consideration of their superior power and resources. Other parties will be called "secondary parties." In terms of resources and power the third participating nuclear nation, Great Britain, can be classified in an intermediate position.⁶⁵

The concept "participant" will be employed in the following analysis. This concept refers to individual participant nations represented by their respective negotiation delegations. The actions of these delegations will be assumed to conform in fundamental respects to the prescriptions of their nations' respective governmental policy, even if it is conceivable that these delegations may occasionally make independent strategy choices. This independent action seems, however, to vary from delegation to delegation. In addition to the

⁶⁴ ENDC/PV. 5: 21. It was the Swedish view that such a policy actually did facilitate the achievement of a partial test ban treaty in 1963. Cf. Myrdal, 1965: 34. [Translator's note: Citations annotated by the prefix "ENDC" refer to original ENDC documents and records published in English. Therefore, these citations have not been translated but appear in the original English version.]

⁶⁵ India designated the United States and the Soviet Union as "the two principal participants." Cf. ENDC/PV. 5: 25 f. The Swedish delegation occasionally used terms such as "the two major nuclear powers" and "the main negotiating parties." Cf., for example, ENDC/PV. 100: 28.

participant concept, the concept of "party" will be employed. This concept refers to particular groups or constellations of negotiating entities. A "party" can be a single nation (represented by a delegation) or a group of cooperating delegations acting in a more or less organized, coordinated manner. A party is thus one or several participants seen as a single negotiating entity. This distinction between party and participant also suggests that the number of participants does not need to be the same as the number of parties.

In a review of conceivable Swedish initiatives made before the Swedish parliament concerning the major negotiatory issues of control and verification, it was argued that it was difficult for the small powers to present solutions which might

... neutralize disagreements, but it perhaps should not be impossible for them in Geneva at least to attempt to stimulate a more fruitful discussion in order to make the various disarmament proposals more palatable for the powers concerned.⁶⁶

Similar conceptions of a neutral state's strategic role in a negotiation were advanced by other non-aligned states in Geneva. This circumstance is particularly interesting in light of the cooperation which took place between the non-aligned states during the ENDC negotiations and which resulted in several joint initiatives in the form of memoranda.⁶⁷

In the Swedish strategic calculus a desire or wish to maintain an "assistance function" could sometimes be observed that supports the way in which mediation has been defined in this study:

Examples could be multiplied of the cases in which we believe that contributions from the non-nuclear, nonaligned countries might be of some assistance and in which our participation in certain deliberations might tend to make them less polarized.⁶⁸

Such statements may also have been made by the Swedish delegation partially in an attempt to influence the recipients' expectations (particularly those held by the potential mediation objects) concerning the non-aligned states' willingness to play a mediating role in the negotiations.

1.3.6.2. *Sweden's substantive goals*

The following statement by Alva Myrdal is an illustrative exposition of Swedish goals:

The current discussion concerning the type of disarmament most likely to be established only indirectly touches our own country. The attitude of the Swedish

⁶⁶ AK 1962: 11: 23.

⁶⁷ Ahmed, 1963: 21 f. ENDC/PV. 6: 9 f. Ahmed, 1967: 11 ff. ENDC/PV. 7.

⁶⁸ ENDC/PV. 100: 28.

government is, however, clear. It is our task to do everything in our power to contribute to international disarmament agreements. It is likewise our duty, after these agreements have been reached, to adjust our military policy accordingly.⁶⁹

The substantive goals which Sweden wished to support were revealed in the initial stage of ENDC's treatment of the test ban issue:

Today we can distinguish two main lines in our work. One is to arrive at an agreement which would for all time ban all kinds of nuclear weapon tests. The other has a more limited goal: an agreement to put an end to all tests that do not require any international verification machinery.⁷⁰

There are also passages in the same document from which the above statement was taken that mark a second substantive goal that was later to play a major role in Swedish disarmament policy during the 1960's. In one such passage it was stated that "... we are anxious to contribute to preventing the further spread of nuclear weapons"⁷¹

The Swedish delegation declared, however, that until more ultimate goals could be reached (such ultimate goals as a non-proliferation treaty and a general and complete test ban), "every provisional measure" should be accepted.⁷²

Thus, for strategic reasons it seems as if the Swedish delegation was prepared to accept a modification or limitation of its substantive goals. This kind of pragmatism characterized the Swedish attitude during the disarmament negotiations of the 1960's.

... I submit that we should move forward following a very simple pragmatic guide-line: that is, trying to reach agreement first on whatever is easiest to achieve.⁷³

This attitude was also reflected in Swedish behavior in connection with the ENDC negotiations on a non-proliferation treaty.

1.3.6.3. *Sweden's use of bargaining-oriented strategies*

After the signing of the Partial Test Ban Treaty in 1963, Sweden's substantive goal became the achievement of a non-proliferation treaty. This goal was a conditional one, however. According to the Swedish point of view, the non-nuclear countries (including Sweden) should not sign such a treaty unless the nuclear powers agreed to certain concessions, particularly a comp-

⁶⁹ Myrdal, 1965 : 8.

⁷⁰ ENDC/PV. 77 : 29.

⁷¹ ENDC/PV. 77 : 35.

⁷² ENDC/PV. 77 : 35. See also ENDC/PV. 64 : 8.

⁷³ ENDC/PV. 160 : 21.

rehensive test ban treaty and a halt in the production of nuclear fissionable material intended for military use.

In addition to mediation strategies, Sweden thus employed bargaining-oriented strategies. During ENDC's treatment of the non-proliferation issue, the Swedish delegation as well as the other non-nuclear delegations demanded concessions from the nuclear participants in return for the non-nuclear states' pledge to become signatories to a non-proliferation treaty.⁷⁴

It has been debated whether or not non-nuclear Sweden actually attempted to pressure the nuclear powers into giving greater consideration to Swedish demand for concessions by threatening to begin the production of nuclear weapons, a threat which in essence meant the abandonment of Sweden's nuclear option policy.⁷⁵

If any implicit, conditional Swedish threats actually were made during the ENDC negotiations, they seem to have been threats warning the nuclear states that Sweden *would not* sign a non-proliferation treaty unless these nuclear powers were willing to make certain concessions. Sweden's nuclear option policy, still in effect in the middle of the 1960's, seems to have been partially based on Swedish desires to maintain some way of pressuring other states in a negotiatory context.

In the Swedish government's proposition recommending the ratification of the Moscow agreement on a partial test ban treaty, it was stated that

... it has always been clear that progress in the disarmament issue must influence the Swedish views on the question of the procurement of nuclear weapons.⁷⁶

Disarmament negotiations seemed to have played a fundamental role in the Swedish government's deliberations on this question of the development of a Swedish nuclear weapon force as early as the late 1950's. In 1959, for example, a requested appropriation for research on nuclear weapon production was rejected on the grounds that Sweden ought to await the results of negotiations on disarmament.⁷⁷

In the analysis which follows, bargaining-oriented strategies play a subordinate role and will be considered as factors "disturbing" Sweden's use of mediation strategies. The use of bargaining strategies as well as mediation strategies illustrates Sweden's behavior as a multiple role-taker.

In terms of the terminology employed earlier, the following illustrations may be seen as constituting a basis for the subsequent analysis of individual

⁷⁴ Examples of this kind of strategic thinking can be found, for example, in the following documents: ENDC/158, ENDC/159, ENDC/178. See also Myrdal, 1965: 33. AK, 1965: 72, A/C 1/PV. 1451.

⁷⁵ For a discussion of Sweden's nuclear option policy, see Birnbaum, 1965: 6; Prawitz, 1967: 196 ff; Ahlmark 1965: 19, 6 f.; and Myrdal, 1966: 12.

⁷⁶ Prop. 1963: 183: 4.

⁷⁷ Prop. 1959: 1, appendix 6: 9.

strategy types. Swedish attempts to contribute to agreement on collateral measures such as a nuclear test ban treaty and a non-proliferation treaty are illustrative examples of Swedish “means-oriented” substantive goals. In a long-range disarmament perspective, these accomplishments were seen as measures or means contributing to the realization of more far-reaching disarmament goals. And although the creation of these means (including the Swedish efforts in that direction) were originally appraised in strategic terms, these means came to be seen as goals/means with an intrinsic value for Sweden. During the course of the NPT negotiations, the Swedish delegation discovered that it could not succeed in realizing its original substantive goal of a package solution encompassing a comprehensive test ban treaty, a halt in the production of nuclear fissionable material for weapon purposes, and a non-proliferation treaty. At this juncture the Swedish delegation abandoned these far-reaching substantive goals and for strategic reasons fell back on less comprehensive goals.⁷⁸

The Swedish attempts to promote a safeguard system under the authority of the IAEA in order to guarantee a non-proliferation treaty, and Swedish efforts to create seismological verification instruments for the control of underground testing are two examples of “means-oriented” goals formulated solely on the basis of strategic considerations.⁷⁹ Apart from their utility in facilitating the achievement of substantive goals, such goals had no intrinsic value for Sweden but instead should be seen purely as goals/means sought for strategic reasons.

1.3.6.4. *Sweden's strategic resources*

The significance of neutrality and non-alignment in international politics and international negotiations has already been discussed. As indicated in a statement cited earlier, it is apparent that the Swedish government considered the policy of neutrality to have had a major impact on Sweden's behavior in the disarmament issue.⁸⁰ Noticeable efforts were made during the ENDC negotiations to prevent other parties from changing their view of Swedish neutrality. These endeavors can be described as attempts to control available negotiatory resources. The Swedish policy of neutrality has traditionally been considered to be incompatible with the acceptance of any form of great power guarantee. Sweden has thus rejected promises of military aid from

⁷⁸ See ENDC/PV. 288:2, ENDC/PV. 296, FK 1967, 30:3. Sweden signed the Non-Proliferation Treaty even though the primary parties did not meet Sweden's demands for far-reaching commitments on their part. A list of the states which signed the Non-Proliferation Treaty, can be found in SIPRI Yearbook, 1972: 576 ff.

⁷⁹ See, for instance, ENDC/PV. 300:4 ff., A/C. 1/PV. 1365:26; ENDC/PV. 281:6.

⁸⁰ See note 68 (ENDC/PV. 100:28).

the great powers subsequent to the outbreak of war. This attitude has even been voiced in a negotiatory context. Sweden has rejected

... any guarantees, any promises, of protection by the nuclear Powers against nuclear attacks or even against 'nuclear blackmail'.⁸¹

The significant degree of national unity in foreign policy issues as reflected by the consensus among Swedish political parties concerning the value of neutrality and disarmament constitutes another Swedish strategic resource. Alva Myrdal has emphasized the significance of unity in foreign policy questions,

... above all because our country often participates in negotiations or attempts through the use of diplomacy in the UN to work actively for a number of constructive compromises.⁸²

It seems reasonable to assume that such unity in foreign policy questions is a particularly valuable resource in negotiatory situations which demand quick action.

Finally, the Swedish negotiation delegation had access to technical and scientific expertise.⁸³ As noted later on in this study, the Swedish delegation submitted proposals to the conference which had been prepared by Swedish technical and scientific experts. Swedish activity was particularly intensive in the seismological area.

Swedish initiatives in the ENDC negotiations were often remarkably technically oriented, a circumstance which seems to indicate that technical and scientific expertise was exploited as a diplomatic resource.

In connection with a discussion of the nuclear powers' interest in preventing an increase in the number of states possessing nuclear weapons, Sweden was referred to as a potential nuclear power, a development which deserves consideration in any attempt to determine the strength of the Swedish negotiatory position (particularly Sweden's bargaining position). The judgment of international expertise during the 1960's was that Sweden was one of the nations which had the capability to begin producing nuclear weapons in a relatively short time after a decision to procure nuclear weapons had been made.⁸⁴ Even Swedish technical experts felt that Sweden possessed the resources necessary for the production of nuclear weapons.⁸⁵

⁸¹ ENDC/PV. 222 : 16, FK 1967, 30 : 56.

⁸² FK 1967 : 30 : 23.

⁸³ Frithiofsson, 1965 : 6. Björnerstedt-Grape, 1965 : 11 ff.

⁸⁴ Martin-Young, 1965:110. Brennan, 1961:304, 308. See also Heurlin, 1966:156.

⁸⁵ Björnerstedt, 1966 : 36.

Chapter 2

Mediation and the Negotiation Milieu

2.1. Introduction

The primary purpose of the present chapter is to discuss the part played by the negotiation milieu in the participants' choice of strategy and strategic behavior. The analysis in this chapter is based on the conception that negotiation strategies — for example, mediation strategies — ought to be studied in the light of a generally defined milieu description:

... an analysis of mediation is not possible except in the context of a general analysis¹

The chapter attempts to illuminate certain special characteristics of the negotiation milieu. The impact of the number of parties, the level of publicity, and the length of the negotiations on the participants' choice of strategies and strategic behavior is particularly examined. Special attention is paid to the importance of these characteristics in mediation efforts. In addition, the analysis serves the purpose of introducing the negotiation milieu from which the empirical material has been taken, the ENDC negotiations in Geneva (1962—1969). Since most negotiation theory is dominated by collective bargaining literature, the chapter is terminated with a general comparison between collective bargaining and disarmament negotiations.

When the significance of these characteristics seems uncertain, a number of conceivable effects will be given in order to construct an explanatory framework at a later point in the study. Such an approach can be justified in the following way: By provisionally determining the predominant advantages and disadvantages of a particular characteristic with a reasonable degree of certainty, a preliminary basis of explanation is thus established with which to explore such issues as why, for example, negotiation participants attempt to influence the negotiation milieu in a certain direction, or why they abstain from certain activities.

¹ Stevens, 1963: 123.

2.2. Size as a Quality of Negotiation

In classifying types of negotiations by the number of negotiation participants, two terms are traditionally used: bilateral and multilateral negotiations.² A number of disarmament conferences, among them the object of this analysis, the Eighteen-Nation Committee on Disarmament (ENDC), could be cited as an example of multilateral negotiations on an international level.³ Bargaining between employer and employee is a typical example of bilateral negotiations. Illustrations are relevant mainly because the major portion of the literature on negotiation deals primarily with collective bargaining.⁴ Using the number of parties as a basis for an evaluation of different types of negotiations actualizes a series of questions which are probably of fundamental importance in understanding the parties' use of strategy. The multilateral type of negotiation seems to be particularly interesting in this respect. The following can be cited as examples of relevant questions:

To what extent can a participant acting individually count on support for special demands and desires from other participants? What is demanded in return in order to obtain such support?

"Initiative competition" may arise during the interval between the determination of a decision concerning an initiative and the projected juncture for the actual introduction of the initiative. What effect does the risk of this "initiative competition" have on the participant's attitude towards cooperation with other parties and his willingness to keep other parties informed? Does this risk of competition diminish if informal cooperation is established? What measures can be taken if the party's prognosis indicates that competition may be encountered? To what extent are the parties aware of actual cooperative combinations, and how does this influence the parties? What advantages and disadvantages can the parties expect to experience in conjunction with organized cooperation within different groupings and, ultimately, between different groupings?

² Sawyer-Guetzkow, 1965: 492 f., distinguish "the number of individual participants" (17 for ENDC) from "the number of negotiating parties." On the number of parties and negotiations, see in addition, Kaufmann, 1967: 57 f; Edwards, 1969: 65; Holsti, 1967: 214; Scott, 1967: 177; and Walton-McKersie, 1965: 403 f.

³ Korhonen, 1970: 155, however, classifies negotiations dealing with arms control and disarmament as bilateral, trilateral, quadrilateral, group talks (e.g., ENDC), regional talks, or universal talks. The classic work on early disarmament efforts is Noel-Baker, 1958, which deals with disarmament developments up to 1958. Luard, 1965: 9-45, contains an overview of disarmament developments from 1945 to 1965. *The United Nations and Disarmament 1945-1965*, 1967, is an official UN report on the disarmament question as dealt with by the UN (including additional material for the period up to 1967). Also cf. Haagerup, 1961; and Myrdal, 1965: 12 ff.

⁴ Walton-McKersie, 1965: 382. The authors feel that there are similarities between the Geneva disarmament negotiations and labor-management negotiations. Also cf. Douglas, 1962; and Peters, 1955.

2.2.1. Multilateral negotiations and the use of strategies

The relationship between multilateral negotiation and the parties' use of strategy will be discussed in this section. For example, does the number of participants affect the degree of specificity of their initiatives. Are initiatives formulated more ambiguously if there are several recipients? It is not inconceivable that the probability of an initiative being positively received (in the sense of support from all or a majority of recipients) may decrease as the number of participants in the negotiation increases. The following strategic behavior seems conceivable: The party formulates his initiatives ambiguously in order to maximize support from as large a number of parties as possible. This ambiguity, however, may undermine the initiator's credibility. Since the solutions contained in the initiative are too vaguely worded and imprecise to serve as a guide for specific, concrete action, the initiator's ability to deal practically with the issue at hand can now be questioned. This problem is a central question of balance for the initiator. Should he let his proposals be guided by the credibility principle or by the acceptability principle?

To whom is a particular initiative directed? If the initiative is made public without a precise indication of its direction, it is possible that all the participants may interpret it as directed to themselves. It is also conceivable that some particular, unintended recipient may react to the initiative. This question is naturally most interesting in an analysis of multilateral negotiations, but it is also relevant in a bilateral negotiation in which the possibility of the initiative being directed to internal groups, domestic opinion, etc., cannot be precluded. A multilateral negotiation can ultimately inspire participants to choose certain specific strategies (package solutions, for example) with which they attempt to cover the demands, desires, and problems of several parties in one comprehensive proposal.

2.2.1.1. *Multilateral negotiations and mediation strategies*

The multilateral negotiation differs from the bilateral type in the respect that in a negotiation with more than two participants, there is an opportunity for mediation *by one or several of the participants* within the framework of the actual negotiations. In a negotiation characterized by significant disagreements between the parties, a third party may be able to intervene with compromise proposals.⁵

Merely the presence of a potential mediator can change the parties' beha-

⁵ Edwards, 1969: 65: "...the presence of 'third parties' (particularly the non-aligned, but also 'moderating allies') will allow mediation and might even permit and provide additional ideas..." The reference pertains to disarmament negotiations. Note that the term "third parties" is used unconventionally here. Edwards is most likely referring to non-nuclear powers or what has been described here as secondary parties.

vior. In a multilateral negotiation, a participant who, at a certain stage, feels that he has good reason for not revealing his willingness to compromise and who avoids taking a position in a relevant question through provisional commitments may risk being pressed for clarifications of his standpoints by parties with mediation ambitions. If a negotiation reputation is to be preserved, questions from a mediator seem more difficult to disregard than questions from a chief opponent. The recipients must constantly consider which interests the mediator represents and which groups of states or opinions the mediator could conceivably represent (UN opinion, "the third world," the "non-aligned," etc.). The fear of losing the political support of these groups can influence the primary parties. Thus, the presence of potential mediators complicates other parties' negotiatory situation.

Furthermore, a competitive situation may arise between participants of similar status (non-aligned states, for example) concerning who ought to mediate between the disputing parties. The self-evident nature of an independently initiated, unauthorized mediation role can be questioned by other, formally equal participants. At least at the beginning of a negotiation, there do not seem to be any well-established expectations that a participant who is directly involved in the negotiations should play a mediator's role.

Even if organized cooperation (mediation coalitions) can be established, the purely practical arrangements seem to result in a time delay. Thus, a certain amount of time is lost in order to synchronize differences in the various participants' perception of the situation but perhaps primarily in order to have common drafts approved by their respective governments.

One of the mediator's most common methods is the utilization of compromise proposals. The basis for compromise is broadened by a large number of negotiation participants at the same time as the task of reaching a compromise becomes more complicated.

2.2.2. Multilateral negotiations and the time element

The tendency of international negotiations (especially disarmament negotiations) to take place over an extended period of time will be dealt with in a subsequent section of this chapter in which the length of the negotiations will be analyzed. But even in this section, the possible influence of the number of participants on the length of negotiations will be discussed. It seems reasonable to suppose that certain characteristics of a multilateral negotiation contribute to an increase in the element of inertia in the negotiatory process.

1. The difficulties involved in establishing joint negotiation goals increase as the number of participants in the negotiations increases. Gradually, however, the development of informal collaboration within and between various

political groupings facilitates the formulation of goals, a process which takes place discretely as partial problems are solved.

2. The participants possess varying degrees of experience in such matters as security policy and the disarmament issue. This makes the concrete discussion of technical problems more difficult both within the cooperating groups as well as between the competing groups.
3. Interests and expectations vary due to the participants' differing frames of reference. In particular, the security interests of each nation seem to be of fundamental importance in this respect. The difficulties involved in synchronizing these national security interests can mean that favorable negotiatory situations cannot be exploited by a group of participants with mediation ambitions. In this context one purely practical obstacle ought to be noted which arises even if principle unanimity prevails, namely, the loss of time incurred by the delegations while they wait for replies from their respective governments.

2.2.3. Multilateral negotiations and the possibility of coalition formation

The participants' ability to regulate independently the number of negotiating parties through the formation of a temporary or durable informal coalition is quite relevant to a study of the parties' choice of strategy.⁶ It is conceivable that individual initiatives are formulated in the light of collaboration with some of the other participants designed for a later stage of the negotiations. If this is the case, one can speak of a future-oriented need for support. Preparations for this type of planned cooperation can take place through the exchange of information among the potential coalition candidates in the form of informal communications.

Coalition possibilities in multilateral negotiations can also influence the participant's choice of strategy in such a way that he avoids provoking or promoting organized collaboration between other participants who have a common interest in preventing certain negotiation results. In a similar manner, this type of reticence can be caused by a disinclination to irritate potential negotiation partners. Even misgivings about interfering with previously established collaboration in some partial question can influence the individual participant's initiatives in areas other than those covered by the existing cooperation. Difficulties can arise for the individual participant in articulating independent standpoints. Negotiation activities must then be directed towards areas in which common interests exist.

⁶ Walton-McKersie, 1965:404: "... [A coalition] not only complicates the bargaining process for purposes of analysis but also opens up new avenues of influence."

2.2.3.1. *Conceivable negative effects of coalition formation*

What risks are taken by the participant who initiates cooperation in the form of an informal coalition? In the future, *risk* will be interpreted to mean *the probability of a negative, undesirable outcome* evaluated in relation to the party's proposed goals. Listed below are a number of conceivable negative effects or consequences of organized collaboration, here designated as informal coalition formation.

In a study of coalition behavior, this scheme of conceivable effects can facilitate the empirical analysis and may also serve as a basis for an evaluation of the magnitude of the party's risk-taking, provided that these assumptions are reasonable and presuming that the party is rational. On the other hand, if the party abstains from this type of organized cooperation, a scheme of effects can contribute to a preliminary explanation of why the party chose to act on his own.

Even if the empirical material should fail to provide a sufficient basis of explanation, the scheme of effects can serve as a guide for cataloging official explanations for past, present, or preliminary collaboration. Thus, this kind of scheme offers a series of alternative interpretations of diffuse diplomatic texts.

1. Through the effects of compromise, proposals and initiatives receive a more ambiguous formulation which may reduce their power or persuasiveness.
2. The possibilities of establishing and improving individual negotiation reputations are diminished through cooperation in a coalition. Original ideas cannot be credited to one particular party. If accepting credit for joint action becomes a common privilege, then bearing the responsibility for combined maneuvers becomes a collective burden.
3. Cooperation in a coalition reduces a party's ability to act and react quickly. Since the disarmament delegations cannot act independently but instead are controlled by their respective governments, continual contact between government and delegation is required, a necessity which substantially reduces the tempo of action. The coordination which is required for common initiatives entails a separate negotiatory process which results in further delay.

The above assumptions are applicable, for example, to retreats from joint positions. The retreat should preferably be carried out behind a united front. Otherwise, it becomes less likely that the coalition partners will actively participate in or support future collective actions. This, in turn, further diminishes the ability of the coalition to act and react rapidly. In certain negotiatory situations, the parties may seek to place themselves in a position where they are unable to act quickly in order to emphasize to the recipient the stability of their standpoints and the limits to their

flexibility. This kind of inertia seems especially significant when the negotiatory situation is rapidly changing. In conclusion, if an ability to act and react rapidly is considered to be a negotiatory resource, a coalition involves a loss of resources.

4. If the party wishes to classify a prearranged initiative, the problems of secrecy increase if a large number of participants take part in the planning process.

2.2.3.2. *Conceivable positive effects of coalition formation*

The following conceivable advantages can be seen as motives or recommendations for joining a coalition :

1. One conceivable advantage is the partial consolidation of resources which can be attained by coordinating the parties' resources. Coalition formation also seems to create resources. If unified opinion is considered a negotiatory resource, future collaboration may increase the resources of all the coalition members.⁷ The desire to compensate for the superior negotiatory resources of other parties motivates organized cooperation. This type of collaboration seems to be especially relevant to secondary parties.
2. In the case of eventual retreats, the loss of prestige resulting from the abandonment of standpoints and commitments can be shared, provided that the participants' strategic evaluation system stipulates behavioral continuity. The allocation of responsibility for changes in position becomes unclear to the recipient.
3. Collaboration in a coalition reduces the participant's freedom of action. This, in turn, may increase the degree of pressure which can be brought to bear on other parties. If a party wants to display an unwillingness to compromise, he can voluntarily lock himself to a specific course of action and thus decrease the possibility of altering his standpoints in the hope that the recipient will recognize this and begin to reckon with his inflexibility. Thomas Schelling calls this "the power to bind oneself."⁸
4. The previously mentioned risk of initiative competition associated with individual action is reduced after the coalition is established.
5. Because the number of parties has been reduced, the negotiatory situation

⁷ Similar conclusions have been drawn in studies of alliance systems analyzed in terms of coalition theory. Deutsch, 1968 : 136 f. : "Often a state can make its promises and threats more credible, and its arsenal of possible actual rewards and penalties larger, by joining a coalition or by organizing one."

⁸ Schelling, 1963 : 22. On "bargaining and capabilities," see Holsti, 1967 : 228 f. Concerning the recipient's evaluation of resources and deterrence effects, here relevant in the sense that the presence of a political mediator may deter an actor from different types of initiatives, cf. Singer, 1962 : 172; and Holsti, 1967 : 354.

becomes less complicated. This may result in an increased ability to make accurate prognoses since the number of unknown factors has decreased. The difficulty in evaluating the stability of the coalition remains, however. A smaller number of parties facilitates the interpretation and evaluation of the recipients' reactions.

2.2.3.3. *ENDC as a multilateral negotiation*

The number of individual participants was constant during the entire ENDC period, 1962—1969. Seventeen states took part in the negotiations. The following nations participated for the West: Canada, the United States, Italy, and Great Britain. The East was represented by Bulgaria, Poland, Rumania, the Soviet Union, and Czechoslovakia. The non-aligned powers were represented by Brazil, Burma, Ethiopia, the United Arab Republic, India, Mexico, Nigeria, and Sweden.

The political composition of the ENDC negotiations naturally suggests the most exploited patterns of cooperation: Cooperation between the Western allies, collaboration between the Socialist powers, and cooperation between the non-aligned states. The likelihood and the actual occurrence of these types of collaboration indicates the suitability of making a distinction between "the number of individual participants" (here considered as negotiation delegations, not individual persons) and "the number of negotiation parties" (which refers to the negotiation groupings that actually do materialize).⁹ Thus, it can be maintained that the formal number of individual participants is not always the same as the actual number of groupings, i.e., parties, taking part in the negotiations.

Cooperation within the non-aligned group can be described as *the formation of an informal coalition*. In the present context, informal coalition formation can be interpreted as temporarily organized cooperation which is not formally regulated by explicit procedures. Periodic consultations between the eight non-aligned delegations took place during most of the ENDC negotiations. The purpose of these consultations was to coordinate negotiation initiatives and strategies in order to maximize their results. These informal consultations occasionally culminated in coordinated initiatives by the eight non-aligned states in the form of joint memoranda.¹⁰

This type of cooperation, which in addition sometimes resulted in common documents, was complemented by individual initiatives within the framework

⁹ See note 2 in this chapter.

¹⁰ Cf., for example, ENDC/144, ENDC/158, ENDC/159, ENDC/177 and ENDC/178. Kaufmann, 1968: 194. Lall, 1964: 20. Lall describes this cooperation in the following way: "*Ad hoc* we [the non-aligned group] become a very active and closely knit group."

of the formal negotiations. Through questions and argumentation, these individual initiatives were designed to explain and amplify the contents of the joint memoranda. This kind of combined action guaranteed the individual coalition member a certain degree of autonomy. It was, however, relatively uncommon for these independent standpoints to contradict in any decisive way the basic contents of previously submitted joint memoranda. Collaboration of this sort was never regulated by any formal commitments; it was temporary and voluntary. In contrast to national governmental coalitions, the members were not dependent upon the coalition to "survive" in a certain position (governmental office, for example).

Coalition strategy may be used as a method to broaden a participant's resource base in a given negotiatory situation. Parties do not need to formulate long-range programs which then must be strictly pursued.

In studies of integration processes, attempts have been made to analyze and determine the qualities which seem to promote integration and the factors which might constitute the prerequisites for the formation of coalitions. A certain degree of ideological similarity between the coalition partners has been considered to be a fundamental and facilitating factor.¹¹ It can be maintained, however, that no type of ideological uniformity existed in the present case. A common interest seems to have been sufficient for the establishment of cooperation among the eight non-aligned states:

Even the group of non-aligned states has reached, in spite of its heterogeneous composition, a significant degree of cohesion and influence.¹²

Criticism from parties outside the coalition must be directed at a whole group of states, provided that the coalition represents reference groups of interested parties and opinions which are negatively affected by opposition to the activities of the coalition. Consequently, the non-aligned group in ENDC could count on stable support in the UN General Assembly, primarily from nations representing neutralist interests. It is conceivable that this circumstance may have had positive effects from the non-aligned point of view in the sense that the primary parties were, to a certain extent, forced to consider a "neutral," non-nuclear world opinion represented both in Geneva and the UN General Assembly.

In conclusion, it can be maintained that this situation may have mitigated and pacified criticism from outside parties directed at the coalition of non-aligned states. A unified front can be expected to augment the weight of one's own negotiatory position because it increases the recipient's need to consider a wider range of political factors.¹³

¹¹ Deutsch, 1968 : 195.

¹² Edelstam, 1968 : 5.

¹³ Edelstam, 1968 : 5. See also Kaufmann, 1968 : 186.

2.2.3.4. *ENDC and the power discrepancy between the participants*

Collaboration in Geneva between the eight non-aligned states can be explained at least partially in terms of the different resources possessed by the parties. That is, cooperation between the smaller nations can be seen as an attempt to compensate for their relative lack of resources in comparison with the nations possessing superior resources.

As shown later in the analysis, ENDC was initiated by the superpowers and was accepted in its entirety by the UN. This situation is quite significant. A successful disarmament negotiation in which the nuclear weapons issue is slated for discussion ought to have the support of the major military powers. As a nuclear power, France was included formally as a participant in ENDC but chose not to attend the committee working sessions. This situation, combined with the fact that the world's fifth nuclear power (China) did not participate in the negotiations, was considered by many interested parties, Sweden among others, to be an awkward complication.¹⁴

This adjustment to the prevailing distribution of power in the international system was formally confirmed in the initial stage of the negotiations. At the first formal session of the conference, a procedural agreement was accepted in which the leading role of the superpowers was emphasized by the creation of two permanent co-chairmanships:

The permanent Co-chairmen of the Committee will be the representatives of the Union of Soviet Socialist Republics and the United States of America. The chairmen of the incoming meeting will normally consult with the Co-chairmen of the Committee regarding the next day's business.¹⁵

During the course of ENDC, these equal and permanent chairmen determined to a predominant extent the subject matter of the negotiations. From these positions of authority, informal groundwork was carried on by the superpower delegations:

...in reality, the majority of decisions concerning the actual contents of the negotiations are made at the informal meetings between the chief American and Soviet delegates.¹⁶

The other negotiation participants adapted to this system and accepted the potentiality for manipulation which was thereby guaranteed the United States and the Soviet Union. The co-chairmen system with its informal consultations between the United States and the Soviet Union led to a

¹⁴ Ahlstedt, 1966; Halperin, 1966; and Norrman, 1967.

¹⁵ ENDC/1: paragraph 5.

¹⁶ Edelstam, 1968: 5; and Kaufmann, 1967: 185. The negotiation supremacy of the nuclear states was also illustrated by the establishment of a subcommittee composed of the United States, the Soviet Union, and Great Britain which was to negotiate the test ban issue and then report to the conference. This committee was dissolved, however, the last meeting being held on Dec. 18th of that year. See ENDC/SC. I/PV. 50.

situation in which documents that were published by these two participants in the formal sessions could not be expected to contain any surprises for the two superpowers. Initiatives introduced in the formal sessions by other parties, however, could contain signals indicating changes which amounted to new information for the recipients.

The co-chairmen system provided the superpowers with the potential to manipulate, at the very least, the formal boundaries of the negotiation range, and these decisions were normally made during the informal consultations between the United States and the Soviet Union.

A member of the Swedish delegation recognized the negotiation supremacy of the superpowers and, in particular reference to the co-chairmen system, maintained that

The respective representatives from the United States and the Soviet Union have the absolutely decisive influence over the course of the negotiations.¹⁷

Even in the initial stages of the negotiations, the Swedish disarmament delegation accepted the supremacy of the superpowers with the assertion that it was correlated with political responsibility. At ENDC's plenary session, 20 March, 1962, Foreign Minister Undén maintained that it was highly appropriate that the great powers should be allowed to meet in informal negotiations. Undén also argued that it was primarily the great powers' responsibility to overcome disagreements through mutual concessions and compromises.¹⁸

According to Undén, the other parties were justified in entrusting the superpowers with the responsibility of producing more complete draft agreements.

The already predominant negotiatory positions of the United States and the Soviet Union were strengthened further by the support gained from alliance partners. With a certain degree of simplification, it can be claimed that Canada, Italy, and Great Britain negotiated under the leadership of the United States. Such a statement is an oversimplification in the sense that not only Great Britain, but primarily Canada behaved in a relatively independent manner on certain occasions and sometimes even attempted to establish a mediation role for themselves.¹⁹

Bulgaria, Poland, Rumania, and Czechoslovakia negotiated under the leadership of the Soviet Union. From the perspective of these nations, even this

¹⁷ Edelstam, 1968: 5.

¹⁸ ENDC/PV. 5: 19 f. It should be noted that Undén is speaking of "great powers," not "superpowers." In the following analysis, the term superpower will be used to designate only the United States and the Soviet Union. Undén did not clarify what he meant by great power, but this term has even been used to designate the third nuclear power participating in ENDC, Great Britain.

¹⁹ ENDC/PV. 130. ENDC/PV. 155. ENDC/PV. 175. ENDC/203/Rev. 1. Lall, 1964: 12.

type of collaboration ought naturally to be seen as a means of incrementing their resources.

2.3. The Publicity Level of Negotiations

In order to illuminate the mechanisms which influence the negotiation process, the significance of the degree of publicity connected with the negotiations must be analyzed.²⁰ This section deals with a discussion of the role publicity plays primarily in the participant's choice of strategy. One interesting question in this context is whether or not the parties are able to influence or control the degree of publicity.

Listed below are a number of conceivable positive and negative consequences of publicity. These schemes of effects provide a preliminary basis for alternative explanations as to why, for example, a party chooses to operate on an informal, secret basis, or why he formulates his official initiatives and proposals in a particular way. These schemes can also serve as tools with which to classify a party's basic attitude towards and his evaluation of either open or secret negotiations.

2.3.1. Conceivable positive effects of publicity

1. The parties' commitments gain a greater stability, and their willingness to retreat decreases because different kinds of opinion — national opinion, UN opinion, or "world opinion," etc. — have a disciplinary effect on the parties. This may present certain disadvantages to the participant, but it also provides a more effective means of control over other participants' standpoints and in this way facilitates the planning of one's own initiatives.
2. The views of other opinion groups on the issues dealt with in the negotiations can be used to apply pressure on other parties and can be coordinated with one's own negotiation activities.
3. If the participant wishes to display his willingness to negotiate and reinforce his negotiation reputation, public negotiation provides a forum for propaganda and an opportunity to increase his prestige.²¹

2.3.2. Conceivable negative effects of publicity

1. Initiatives are supported, rejected, or taken up for discussion by interested actors who are not participants in the negotiations and who were not

²⁰ Concerning secrecy and publicity in negotiations, see Iklé, 1964: 44 f., and 85 f. Also see Edwards, 1969: 67; and *Some Aspects of Mediation*, 1970:28.

²¹ Iklé, 1964: 52 f. On the definition of prestige, see Padelford-Lincoln, 1967: 15: "The essence of prestige is the respect in which a state is held by others." Also see Morgenthau, 1965: 72 ff.

intended to be the recipients of the initiatives. The participants cannot control the reactions of others. Such reactions can, in certain cases, interfere with the negotiation work since the very awareness of their inability to control the responses of others may make the parties much too cautious. Consequently, it is possible that the element of publicity can reinforce the protracted nature of the negotiation process.

The following variations are conceivable:

- a) A party's initiative is supported by a party whom the intended recipient (who in any other case could be expected to react positively to the initiative) refuses to accommodate. This can mean that the intended recipient takes a negative position and rejects any subsequent proposals.
- b) If they choose to argue openly, the parties cannot control the number of active participants in the debate.
- c) The participants must give special consideration to the interests of actors who are not parties to the negotiation. Concessions to a party who in another context may be a political opponent can, for example, aggravate relations with alliance partners.

This open, public type of negotiation thereby limits the parties' freedom of action in certain respects. Even deference to the interests of pressure groups which are not parties to the negotiation may restrict their freedom of action. This, in turn, may result in an unwillingness to commit themselves clearly to a certain position or in an abandonment of previously established commitments.²²

The element of risk-taking may be increased if other actors who are not parties to the negotiation expropriate or misinterpret proposals and arguments by giving them a meaning which was not originally intended. The result of a high level of publicity may thus be an uncontrollable proliferation of rumors.²³ An awareness of this risk can, in certain situations, make a party quite hesitant to formulate his standpoints openly.

2. It is also conceivable that "open diplomacy" provokes certain participants into intense activity for no other reason than to make propaganda gains. The purpose of this high level of activity may be to prove that one is more interested than other parties in reaching an agreement. This type of strategic behavior, however, may prolong the negotiations in an uncontrollable way since other parties will be forced to undertake the time-consuming task of carefully analyzing information which is not grounded on a genuine

²² Sawyer-Guetzkow, 1965: 492. The authors claim that open diplomacy limits the negotiator's freedom of action: "the more open the negotiation, the greater the restrictions placed upon the principal negotiator by the presence of numerous experts with interests in various parts of his proposals."

²³ Nicolson, 1954: 89.

desire to reach an agreement. Open diplomacy used in this way may thus unfavorably affect the interests of other parties who wish to utilize the limited negotiation time in an objective and efficient way.²⁴

2.3.3. The publicity level and mediation

With the exception of (1c), the viewpoints listed under item (1) above seem relevant even in regard to participants with mediation ambitions. Publicity can have positive consequences for mediation activity in the sense that the mediator obtains more information about the standpoints of the various parties. By comparing a party's official position with promises made by the same party during informal consultations, a mediator is able to evaluate the factors which determine a party's propensity to make concessions.

Another advantage may be that publicity makes the recipient, in order to maintain his prestige and negotiation reputation, more inclined to accept mediation proposals. In certain situations, however, it may be in the interest of the mediator to protect the recipient's integrity and not provoke an acceptance of a mediation proposal caused by the pressure of public opinion resulting from publicity. This might cause the recipient to lose confidence in the mediator.

If the concrete negotiation issues are of a secret nature, the mediator may be hampered in his attempts to submit official proposals touching on these same issues. If the purpose of open negotiations is a final result which can be publicized, this too may serve to complicate matters.²⁵ Thus, according to this line of reasoning, publicity in negotiations may reduce the mediator's freedom of action.

2.3.4. The publicity level and ENDC

If negotiations can be characterized as either formal or informal (where "formal" denotes a negotiation with an agenda and an explicit procedural system, and where the concept "informal negotiation" signifies a negotiation which lacks fixed rules), then the Geneva negotiations can be characterized as a mixture of both these types. The negotiations consisted partly of official sessions in which the parties presented their statements, declaration, and memoranda, and partly of informal, closed negotiations. To a certain extent, the formal negotiations were open, while the informal negotiations were closed and secret. In this context, open negotiations should be interpreted as negotiations whose records were published after the official sessions. The negotiation sessions themselves took place behind locked doors. The deco-

²⁴ Nicolson, 1954: 89.

²⁵ Sawyer-Guetzkow, 1965: 492. The authors make the following distinction: "Secrecy of process is to be distinguished, however, from secrecy of outcome."

ments which describe the rules governing publicity are, however, not particularly detailed. To a great extent, the structuring of the negotiations seems to have been regulated by practice. While describing the members who were to participate in the disarmament conference, the first documents to mention the ENDC, namely, the Soviet-American agreement and the UN's confirmation of that agreement, did not clarify the form of negotiation (the degree of publicity, for instance).

At ENDC's first session, however, certain procedural rules were established, among others the requirement that the meetings were to be closed. In paragraph 1a it was stated that

All meetings will be private, except when otherwise agreed by the participating states.²⁶

Limitations on the level of publicity were given in paragraph 3:

Publicity by or on behalf of the Committee will be limited to the agreed communique following each meeting.²⁷

The document also restricted the conditions under which the records of the meetings could be made public:

Normally, verbatim records will be made available after a delay of two weeks for public use . . .²⁸

These rules were only applicable to the formal ENDC meetings. As previously mentioned, informal, secret meetings between the delegations also took place. Of obvious importance were the meetings between the United States and the Soviet Union. But informal negotiations even occurred between other participants.

In recent years, the work has generally been carried on in two formal meetings per week. Between these meetings, negotiations take place privately in the form of informal sessions both within and between the three groups represented in the Committee.²⁹

In spite of the limitations placed on the allowable level of publicity and information by this type of organizational plan, the arrangements were accepted as a necessary complement to the formal meetings. Publicity was thus partially regulated in a formal way by the stipulation that the records of the routine sessions had to be published after only a brief delay. It ought to be observed that the press received immediate information concerning the essentials of what took place in the official sessions.³⁰ The parties' ability to control the level of publicity was consequently limited to being able to

²⁶ ENDC/1 : paragraph 1.

²⁷ ENDC/1 : paragraph 3.

²⁸ ENDC/1 : paragraph 4.

²⁹ Edelstam, 1968 : 5.

³⁰ Gould, 1969 : 9 ff. Also cf. Kaufmann, 1968 : 196.

influence the proportion between formal and informal negotiations. The reasoning above makes it possible to speak of both "delay of publicity" and "partial publicity." To a great extent, it was the informal negotiations which determined the degree of publicity.

The secret, informal negotiations eventually resulted in partial or final accounts which, to a certain extent, even illuminate this informal negotiation process. In this way, the risk of the present investigation degenerating into pure speculation is partially reduced. If not before, then during the final stages of the negotiations when draft agreements finally emerged, the observer could obtain information about the negotiation process which preceded the presentation of these documents.

Since the informal negotiations were secret and also quite irregular in intensity, it is rather difficult for an investigator to determine the relative proportions between the official and secret negotiations. This may explain why, in this respect, different observers have evaluated ENDC in different ways. ENDC has thus been described as a type of negotiation which is

"...secret, close, and private – the fact is known, but the substance is not, transcripts are classified, although the substance or progress is sometimes later revealed. Such has been the case with the Eighteen-Nation Disarmament Conference, which first met in 1962."³¹

Other authors have a different view of the matter. It has been maintained that international conferences normally include both private and official meetings: "In actual fact conference diplomacy is conducted at least as much in private as in public." This combination has been characterized as "...a mix of publicity and privacy..." and ENDC has been cited as an example of this mixed type of negotiation.³²

2.4. The Length of Negotiations

The main issue dealt with in this section can be formulated in the following manner: How does the length of the negotiations affect the behavior of the negotiation participants?³³ This basic question actualizes a series of comple-

³¹ Edwards, 1969: 67.

³² Kaufmann, 1969: 79, 81, 195.

³³ Sawyer-Guetschow, 1965: 490. Kaufmann, 1969: 45, 59 ff. Kaufmann describes periodicity and the length of the conference as partial variables in "the organizational setting." Periodicity signifies how often a certain conference is convened, and length of negotiation designates how long these conferences last. In this study, the term negotiation length will be used to designate both the periodicity of the conferences and the length of the conferences themselves. Thus, ENDC is considered to have taken place with certain temporary interruptions between 1962 and 1969. In spite of these interruptions, however, the general feeling was that the conference should continue, and a date of resumption was always agreed upon.

mentary issues which illustrates the importance of considering the length of the negotiations in an analysis of the negotiatory process: What factors affect the length of the negotiations? To what degree do the parties adapt to a given length, and to what extent do they attempt to modify the length of negotiations? How does being pressed for time affect a party in a negotiation which may originally have been expected to progress rapidly? How are participants affected by unlimited time? What types of strategy promote a subdued tempo in the negotiation process, and what types of strategy can be expected to accelerate the negotiation process? With what degree of certainty can a party estimate the tempo of the process at the very beginning of a negotiation? How does the length of the negotiations affect mediation activity?

The following scheme of conceivable effects is formulated as a preliminary basis for the explanations presented later in the empirical section of the study. This scheme describes a number of conceivable advantages and disadvantages associated with both extended and brief negotiations.

2.4.1. The length of negotiations and its strategic consequences

2.4.1.1. *Conceivable positive effects of long negotiations*

Extended negotiations provide an opportunity for the participant

1. *to reconnoiter for alternative strategies and solutions.* (+)*
2. *to gain experience about other parties' reactions and strategies.* An extended negotiation provides opportunities for becoming acquainted with the strategies and standpoints of other parties. Information about their propensities to make concessions and their attitudes toward compromise increases a party's knowledge of which standpoints or positions other parties may consider amenable to adjustment. (+)
3. *to wait for fluctuations in the political climate and to investigate the stability of changes which have already occurred.* The ability to sense marked variations in the political atmosphere may influence the parties' evaluation of their common interests and provide a chance to observe or test their counterparts' continuity and credibility. One party may be able to monitor the stability of the other parties' commitments and subsequently attempt to determine the credibility of these commitments. An observer (an investigator as well as a participant) can follow the development from provisional to formal commitments. (+ —)

* Explanation of symbols: the sign (+) indicates that advantages outweigh disadvantages; (—) indicates that disadvantages are greater than advantages; and (+ —) indicates uncertainty as to whether the strategic effects are primarily positive or negative.

4. to wait for changes in other parties' evaluations of a pending draft agreement.³⁴ (+ —)
5. to control and increment resources. By waiting for opinion on the home front to crystallize in unclear situations, a party reduces the risk that the resource of domestic unity will be unnecessarily strained. Strengthening technical and scientific resources may contribute to negotiation solutions. For example, the technical systems for monitoring adherence to an agreement might be improved. (+)

2.4.1.2. *Conceivable effects of long negotiations and the control of resources*

One further pertinent issue ought to be dealt with in this context, namely, the parties' ability to maintain or increase control over resources during extended negotiations.

1. If fundamental results are not forthcoming after an extended period of negotiation, it may be difficult for a party to maintain the support of internal groups. (—)
2. Extended negotiations allow time to synchronize initiatives with the demands of internal opinion. (+)
3. If the parties do not feel pressed for time, they may tend to make fewer hasty or provocative decisions. This, in turn, means that eventual internal crises can be mastered without a breakdown in the negotiations. (+)

Initiatives which include vigorous attacks on a recipient require the defensive party to coordinate various negotiatory resources in order to effectively respond to the challenge. This kind of mobilization requires time, and a long negotiation provides the party on the defensive with the opportunity to devote himself to the task of activating his resources. The party gains time either to search for suitable strategies which could alter the existing situation or to survey the conceivable consequences of an acceptance of his opponent's conditions.

2.4.2. Long negotiations and mediation

1. If the prognosis points to protracted negotiations, compromise proposals from a mediator do not necessarily need to be time-synchronized, that is, attuned to current negotiatory positions. For example, a mediator may propose a concession to one party with an expressed desire for its immediate acceptance and at the same time propose a concession to another party without suggesting an immediate acceptance. In a similar fashion, a party's

³⁴ Cross, 1969: 45: "... the value of the agreement may (primarily for technological reasons) change over time ..."

- previous concessions can be cited as a viable component of a proposed package solution. One conceivable mediation measure can be to include in the proposal provisions dealing with the use of sanctions in order to secure guarantees for the fulfillment of future demands for compensation.
2. An extended negotiation process increases the chance that sooner or later the parties will publicly disclose their propensities to make concessions. In this respect, the mediator's potential to collect adequate documentation on other parties increases the longer the negotiations last. Consequently, if the prognosis points to protracted negotiations, the mediator is provided with a means of monitoring the credibility of the other parties' commitments.

In conclusion, a negotiation reputation can be *established and exploited* within the framework of the same negotiation. However, extended negotiations demand continuity in the parties' behavior.

2.4.3. Conceivable effects of short negotiations

As a comparison with the extended type of negotiation, an attempt will be made to identify some significant characteristics of short negotiations which indirectly illuminate the problems and negative effects of long negotiations. The following discussion is based on the assumption that the negotiation process is normally expected to run its course quite rapidly. Negotiation tradition presupposes that negotiations are brief or at least temporally limited to some extent. For example, a particular agreement is usually expected to terminate at some point in time followed by the establishment of another agreement. The parties must reckon with lack of time and economic resources, and pressure from core groups and superior authority which may ultimately tend to become intolerable.

1. Being pressed for time can increase a party's efficiency and inspire results. (+)
2. Limited time can have negative effects in the sense that it restricts the opportunities available for investigatory work during the course of the negotiations. Problem areas which are not investigated during non-negotiatory periods (during the existing period of agreement, for instance) cannot be expected to receive a great deal of attention during the negotiations themselves. The party's ability to improve his level of information during the course of the negotiations is sharply reduced. The grounds on which decisions are based do not vary as much as during extended negotiations. (—)
3. Factors such as prestige, credibility, and continuity are of subordinate significance. As the tempo of the negotiation increases, core groups may become less fully informed, and negative concessions inimical to the inte-

rests of these groups can be justified as necessary by the parties without the risk of being contradicted or corrected during subsequent, prolonged negotiations. (+ —)

4. Expectations are less complex. Parties involved in a brief negotiation cannot, to the same degree as in extended negotiations, hope for changes in the political climate. Expectations of such changes are probably greater in negotiations which are anticipated to be protracted. Hopes of a development towards negotiatory situations which are more advantageous for one particular party can inhibit or temporarily reduce that party's willingness to compromise. (+ —)

2.4.4. ENDC and the length of negotiations

2.4.4.1. *The difference between the real and the formal start of negotiations*

The 1963 ENDC sessions could be formally described as a brief negotiation exemplifying the special characteristics of that type of negotiation. (The ENDC negotiations had officially begun in 1962.)

The difficulty in accurately determining the "real" start of the disarmament negotiations is quite striking if the negotiations are considered from two perspectives: What complex of issues was dealt with, and when did a discussion of these issues between the parties begin for the first time? After ENDC had been in progress for approximately one year (1963), the Moscow Treaty was signed, an agreement described as a product of the ENDC negotiations. The Moscow Treaty contained a partial ban on nuclear weapon testing. In reality, earlier disarmament negotiations had dealt with the test ban issue for several years prior to the start of ENDC. Naturally, experience must have been gained and standpoints stabilized during these previous negotiations. Consequently, ENDC did not begin without precedents in 1962, for at least the primary parties could utilize earlier experience. And it is the five year experience gained by the participants who had negotiated since 1958 which ought to be evaluated in analyzing the negotiatory situation of 1963. The characteristics of the extended negotiation must therefore be integrated into any subsequent analysis.³⁵

The increase in the number of participants which occurred in 1962 did, however, transform the negotiatory situation for the original participants. In this respect at least, they did find themselves in a new negotiation milieu through the creation of ENDC. It should also be noted that new participants, through access to documents and unofficial information, could acquaint

³⁵ Jensen, 1968 : 152. Jensen estimates that partial test ban negotiations which took place between 1958 and 1963 consisted of over 400 meetings between the United States and the Soviet Union.

themselves with the course of the previous negotiations and thereby compensate for their lack of experience and knowledge of the original participants' earlier standpoints and key problems.

The preceding comments indicate that it is necessary to distinguish between the length of the treatment of a specific issue and the length of the various formal negotiations dealing with the same question. The concept "start of negotiations" is an ambiguous one.

In this context, some attention should be given to the concept of "tacit negotiation" which pertains to an unorganized type of negotiation in which initiatives take the form of unilateral measures or declarative standpoints formulated in such a way that one or several recipients interpret the statements as information about demands, proposals, or desires.³⁶ Tacit negotiation can be seen as a substitute for negotiations. When this type of informal negotiation is converted into an organized, formal negotiation, the parties are partially prepared for the demands which their counterparts may make.

Furthermore, it can be maintained that even in an extended negotiation such as ENDC, time pressure existed which forced the pace of the negotiations. The periodicity of the negotiations and the UN's demand for continual progress reports may have significantly, if temporarily, increased the time pressure under which the participants were forced to work. The parties' efforts were intensified in the latter stages of every negotiation period, and they attempted to some extent to achieve results in these final rounds. It is quite possible that UN opinion exerted a certain degree of pressure in this respect.

2.4.4.2. *ENDC and prediction of the length of negotiations*

At the beginning of an international negotiation, it is quite difficult to make satisfactory prognoses about the course of the talks. The ENDC parties were therefore uncertain as to the amount of time at their disposal when the negotiations started in 1962. The following factors can be assumed to have influenced the parties' evaluation:

1. *Expectations based on past experience*

Previous experiences were primarily negative in regard to the progress which had been made during earlier negotiations. These historical experiences suggested a pessimistic prognosis concerning the possibilities of quickly reaching concrete disarmament results in the 1962 negotiations. Test ban negotiations had taken place in multilateral form since 1958 but were discontinued under dramatic circumstances in 1960.³⁷ Discussions and attempts at disarmament

³⁶ Schelling, 1963 : 54 ff.; Midgaard, 1965 : 139 ff.; and Iklé, 1964 : 2.

³⁷ Luard, 1965 : 46.

had occurred on different occasions throughout the entire twentieth century without any noteworthy success. During the 1950's, an intensive armament build-up, particularly in the field of nuclear weapons, had taken place parallel with attempts to control that same arms race. These developments have been characterized by one observer as the "torpid history of disarmament."³⁸ In 1962 the combined historical experiences could have been summarized in the following way: Attempts at disarmament continually recurred, often in the context of formal negotiations. But the results of these attempts only indicated how difficult it would be to carry through successful negotiations. The obstacles appeared to be very great. The most plausible prognosis seemed to be that the entire negotiation issue — disarmament and the regulation of armaments — would remain a matter of saliency to the parties for a long time to come. And, in spite of the constantly increasing armament level, a significant interest in a regulation of the armament process could in fact be noted among the primary parties.³⁹

This account coincides with the subjective definition of the situation. Ambassador Edelstam felt that two factors explained the permanent interest of the superpowers in disarmament negotiations: the awareness of the consequences of an atomic war plus the realization that economic resources would be made available for other purposes in the event of real disarmament. He added that

Through the years one seems to detect a growing insight that security cannot be increased by continually increasing the accumulation of weapons of mutual mass destruction.⁴⁰

In conclusion, it can be maintained that prognoses about the future stability of the negotiations play a fundamental part in a party's decision-making. The planning and implementation of comprehensive and expensive investigations or technical constructions do not, however, entail any greater degree of risk-taking in terms of resources and costs because even if negotiations such as ENDC break down, some (albeit fewer) possibilities remain to launch proposals in other milieux such as the UN, for example. Pertinent in this context is the 1961 Swedish Undén Plan which prescribed the establishment of nuclear weapon-free zones. According to official explanations, the Undén Plan was intended to break the prevailing stalemate on the disarmament front. Sweden advocated the adoption of this proposal in the UN General Assembly.

As emphasized earlier, interested parties could count on continuous UN attempts to establish disarmament talks unrelated to previously authorized UN conferences such as ENDC. Under the heading of "Functions and Powers," Article 11 of the UN Charter states that

³⁸ Myrdal, 1965: 12.

³⁹ *The United Nations and Disarmament 1945-1965*, 1967.

⁴⁰ Edelstam, 1968: 6.

The General Assembly may consider the general principles of cooperation in the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments, and may make recommendations with regard to such principles to the Members or to the Security Council or to both.⁴¹

This calls for a brief comment on the status of the authority actually responsible for the creation of ENDC.

2. *The status of the convening authority*

It was to be expected that the formal authority in the disarmament question, the UN, would persist in its ambition to attempt to bring about disarmament through negotiations and by this means prevent international conflict. The creation of ENDC actually originated in a joint Soviet-American agreement from 1961 which subsequently was confirmed by the UN General Assembly. In a UN resolution the views of the General Assembly were formulated in the following manner:

The General Assembly –

Welcomes the joint statement of the Government of the Union of Soviet Socialist Republics and the United States of America of agreed principles for disarmament negotiations included in that report;

Recommends that negotiations on general and complete disarmament should be based upon those principles . . .⁴²

This statement is a significant expression of the UN's adjustment to the prevailing international power structure, that is, an acceptance of the dominance of the superpowers. The convening authority's formulation of the task itself possibly may have given some guidance to the parties. In the Soviet-American agreement of 1961, the common goal was stated to be disarmament, that is, complete disarmament:

The goal of negotiations is to achieve agreement on a programme which will ensure (a) disarmament is general and complete and war is no longer an instrument for settling international problems.⁴³

According to this document, disarmament was to take place in stages:

The disarmament programme should be implemented in an agreed sequence, by stages until it is completed, with each measure and stage carried out *within specified time-limits* [author's italics].⁴⁴

The General Assembly attempted to insure that the negotiation sessions would be utilized as efficiently as possible by requiring periodic progress reports:

⁴¹ *The Charter of the United Nations*, Article 11.

⁴² *United Nations Resolution 1722 (XVI)*, December 20, 1961.

⁴³ *United Nations Document A/4879*, September 20, 1961 : paragraph 1.

⁴⁴ *United Nations Document A/4879*, September 20, 1961 : paragraph 4.

The General Assembly –

Requests that the Committee submit to the General Assembly a report on such agreement as soon as it has been reached, and in any case submit to the Disarmament Commission, not later than 1 June 1962, a report on the progress achieved.⁴⁵

Furthermore, a kind of balancing theory was prescribed, namely, that concessions from a party did not have to be unilateral and thus discriminatory:

All measures of general and complete disarmament should be balanced so that at no stage of the implementation of the treaty could any State or groups of States gain military advantage and that security is ensured equally for all.⁴⁶

It was assumed that disarmament would progress according to satisfactory control procedures for the prevention of possible treaty violations, an assumption which further emphasizes the extent of the long-range perspective which was outlined in 1961. In addition to the balancing problem, the issue of control has played a predominant part in the disarmament discussions of recent decades. The problem of control has often been an obstacle to progress.

Balance and control are the two key concepts of the disarmament problem. It is the question of balance and/or the question of control on which proposed disarmament measures have stranded.⁴⁷

When demands for effective control were formulated as a partial goal, a particularly controversial factor was introduced which could be expected to delay negotiations. The Soviet-American agreement stated that

All disarmament measures should be implemented from beginning to end under such strict and effective international control as would provide firm assurance that all parties are honouring their obligations . . . the nature and extent of such control depending on the requirements for verifications of the disarmament measures being carried out in each stage.⁴⁸

The goals which were outlined in the Soviet-American agreement were not proposed as general, long-range aims which could only be reached in the distant future but instead were formulated as realistic, concrete political objectives:

Efforts should continue without interruption until agreement upon the total programme has been achieved.⁴⁹

As previously documented, the UN General Assembly confirmed the Soviet-American agreement. Concerning the issue of control, it was stated that ENDC should attempt to establish an agreement based, among other things, on the

⁴⁵ *United Nations Resolution 1722 (XVI)*, December 20, 1961.

⁴⁶ *United Nations Resolution 1722 (XVI)*, December 20, 1961 : paragraph 5.

⁴⁷ Myrdal, 1965 : 44.

⁴⁸ *United Nations Document A/4879*, September 20, 1961 : paragraph 6.

⁴⁹ *United Nations Document A/4879*, September 20, 1961 : paragraph 8.

principles of "...general and complete disarmament under effective international control...."

In principle, the ENDC goal of an international disarmament treaty was looked upon as a general objective, while in practice, the negotiations were increasingly directed towards partial goals:

It would be wrong to believe that disarmament negotiations deal only with the enormous problem of an international disarmament treaty. On the contrary, during the course of the Geneva negotiations, a desire has developed to cooperate in the initiation of partial disarmament measures with more immediate effects (collateral measures).⁵⁰

Using these documents as a guide, was it possible for any individual participant to come to a conclusion as to how long the negotiations might last? Assuming that the length of negotiations, the time required to deal with a single issue, and expectations concerning future or recently initiated negotiations have an impact on the participants' planning and behavior, the following factors become quite relevant:

- 1) The proposal of the superpowers and the confirmation of that proposal by the General Assembly were intentionally formulated in general, ambiguous terms which did not bind the supporting parties to any specific commitments.
- 2) The goals outlined in these documents were particularly comprehensive, and even the realization of partial goals would probably have demanded a time-consuming negotiation process.

The Swedish evaluation of the possibilities of successful negotiations was revealed in a governmental declaration issued during the parliamentary debate on foreign affairs, 14 March 1962, the same day on which the ENDC negotiations began. Regarding the general ambition of the UN to establish disarmament, the declaration concluded that "the road is long and arduous."⁵¹ The government pointed to the accelerating arms race and stressed the special responsibility of the superpowers for this situation. The declaration also referred to the Soviet-American agreement and its confirmation by the UN and emphasized the ambiguous formulations regarding the control issue which, according to the government, indicated a significant lack of unity in this area: "The prospects for the negotiation of this issue do not seem favorable."⁵² These reservations culminated in a pessimistic prognosis which forecast protracted negotiations: "Even at best, the work obviously will be time-consuming and complicated."⁵³

⁵⁰ Myrdal, 1965 : 32.

⁵¹ AK, 1962, 11 : 22.

⁵² AK, 1962, 11 : 22.

⁵³ AK, 1962, 11 : 23.

2.5. A Comparison between Multilateral Disarmament Negotiations and Collective Bargaining—Conceivable Differences

Results from analyses of economic negotiation processes will be used as a basis for the investigation of the disarmament negotiations in Geneva. This research has concentrated on the study of collective bargaining between employer and employee. In this literature it is occasionally claimed that the similarities between collective bargaining and, for example, disarmament negotiation are so great that a general description of the labor-management negotiation process can even be used to explain aspects of international negotiatory processes:

The Geneva disarmament negotiations and other scheduled discussions between two countries with distributive agenda items would come closest to the type of activities analyzed in labor negotiations.⁵⁴

It seems plausible to assume that there does exist a significant degree of correspondence between the two types of negotiations, at least on the level of strategy and technique. An application of principles and theories from one area to the other requires, however, a careful analysis of the conceivable similarities and differences. Since this investigation has been partially influenced by the literature on collective bargaining, this type of comparative examination seems appropriate at this point in the study.⁵⁵

⁵⁴ Walton-McKersie, 1965 : 382.

⁵⁵ Kaufmann, 1968 : 172 ff. In three case studies, Kaufmann compares negotiations dealing with "trade, disarmament, aid to a less-developed country."

	Collective bargaining	Disarmament negotiation
<i>Number of participants</i>	Bilateral negotiations ⁵⁶	Multilateral negotiations
<i>Time element</i>	In comparison with disarmament negotiations, collective bargaining is relatively limited in time.	This type of negotiation is remarkably long and drawn-out. ⁵⁷
<i>The length of negotiation</i>	Bargaining is considered terminated when a formal agreement is reached.	Formal agreements in the form of a treaty are established gradually as partial questions are solved. In light of the magnitude of the negotiation goal (complete disarmament), the negotiations often continue after these partial solutions have been reached.
<i>The length of the validity of treaties and contracts</i>	The desired contract is often temporally limited.⁵⁸ The parties can temporarily accept more limited results in the knowledge that they will be able to resume their unfulfilled demands in future bargaining rounds. The time point for the resumption of bargaining is known by the parties.	The treaties are not always temporally limited, even if breaches of agreement are defined which, to a certain extent, limit the validity of the contracts. This means that this type of treaty must be able to undergo greater change and withstand more stress than a collective agreement. This places greater demands on the ability of the parties (or those who signed the treaty) to prognosticate about the future course of events. The treaty limits the parties' freedom of action for an extended period of time. It is often uncertain as to when the same problem or issue will be taken up for further treatment. The same type of uncertainty occurs if the negotiations are discontinued entirely without an agreement concerning their resumption being reached.

⁵⁶ Concerning the conceivable consequences of the number of parties, see p. 52.

⁵⁷ See the previous analysis, p. 54 f.

⁵⁸ Stevens, 1963 : 29 : "Negotiation is essentially prospective. It is very difficult to negotiate terms for the future without having in mind some minimum period of time . . ."

	Collective bargaining	Disarmament negotiation
<i>The publicity level</i> ⁵⁹	In principle, collective bargaining is secret even if a certain amount of information concerning the bargaining situation is released to the mass media during the course of the negotiations.	Certain disarmament negotiations (ENDC, for example) are partially open to the public.
<i>The parties and the consequences of negotiation</i>	The recipients' evaluation of an offer seems to be less complicated in a collective bargaining situation in which most of the proposals are made in terms of monetary sums or percentage units. Economic forecasts can be made with a greater degree of certainty than evaluations of future security needs. Provided that the delegations control their sub-organizations and enjoy the confidence of a majority of the membership of those organizations, the delegations can count on internal support for accepted agreements.	It is more difficult to measure the political consequences of proposed solutions to controversial issues such as security policy, for example. It is difficult for the parties to make accurate prognoses as to whether nations not represented in the negotiations will eventually adhere to a treaty. ⁶⁰ (The need for broad international support is a fundamental condition which ought to be considered in any attempt to analyze final disarmament treaties.)
<i>Goals of negotiation</i>	There is rarely any controversy over the legitimacy of the collective bargaining process itself. The determination of goals is relatively uncomplicated. For example, employers seek to minimize costs while maintaining peaceful labor-management relations, and employees strive to improve their wage benefits.	There is almost always disagreement over the legitimacy of disarmament negotiations. The determination of goals is a controversial process. Certain internal groups, the military, for example, may question the solution of national security problems through disarmament.
<i>Sanctions</i>	Methods of sanction are known and often formally regulated in the collective agreement. Strikes and lock-outs are the most typical sanctions employed. ⁶¹ The consequences of these sanctions are difficult to perceive.	Sanctions are diffuse and more difficult to predict. With the exception of the situation in which one party withdraws from the negotiations, sanctions usually seem to have long-run instead of immediate effects such as an increase in armaments or the conscious aggravation of diplomatic and political relations. Direct military sanctions do not seem to be used as an alternative to continued negotiations. ⁶²

⁵⁹ See the previous analysis, p. 62 ff.

⁶⁰ The periodic disarmament discussions in the UN General Assembly, however, do provide the parties with some guidance.

⁶¹ Concerning strikes and lock-outs, see Dunlop-Healy, 1953: 57; and Dunlop, 1967: 103 ff., "The function of the strike."

⁶² Nicholson, 1970: 4. Nicholson sees military solutions as a means of sanction in the event that international negotiations break down. His reference to international negotiations, however, does not specifically pertain to disarmament negotiations.

2.5.1. Mediation in collective bargaining and disarmament negotiations⁶³

	Collective bargaining	Disarmament negotiation
<i>Formal status</i>	<i>Authorized mediator</i> If labor-management bargaining breaks down, an official mediator is appointed. The mediator's formal authority is seldom questioned by the parties. An authorized mediator is provided with basic influence merely through his own existence. The bargaining parties, not the mediator, are responsible to public opinion and their own higher authorities.	<i>Unauthorized mediator</i> In disarmament negotiations, the party which seeks to play a mediation role receives no official recognition in this capacity. This, in turn, limits his purely formal influence. Other parties can question the mediator's authority by discrediting the purpose of the mediation in an attempt to prove "role ambiguity." No party can, <i>a priori</i>, count on being considered impartial. Basic influence seems to be lacking to a great extent since no authorized mediator exists. Due to role ambiguity, even the parties with mediation ambitions bear some responsibility for the results of the negotiations.
<i>Goals</i>	The conclusion of a formal agreement is the goal of a mediator. The content of the agreement is of secondary importance to the mediator.	The mediator is not only interested in the form of an agreement but also obviously concerned with its content since the result must be approved and accepted by parties not participating in the negotiation. The difficulties involved in evaluating the views of actors who are not parties to the negotiations have been mentioned earlier.

⁶³ Concerning the mediation process and mediation institution in collective bargaining, see, for example, Douglas, 1957 : 70; Meyer, 1960 : 159 ff; Jackson, 1952 : 126 ff.; and Rose, 1952 : 187 f.

	Collective bargaining	Disarmament negotiation
<i>Timing</i>	The most appropriate occasion for mediation initiatives varies, but it usually occurs in the later stages of the negotiation, often in a crisis situation. Since strikes and lock-outs are a constant threat, the mediator works under intense time pressure. A continued stalemate after mediation efforts have been made normally results in relatively immediate and easily identifiable consequences.	Since participants with mediation ambitions are present from the beginning of the negotiations and consequently can attempt to influence the course of events from the very start, mediation proposals can be presented immediately after the parties have clarified their standpoints. Lack of time in agreement situations cannot be excluded, but during extended negotiations mediation attempts occur even in circumstances not characterized by lack of time. A continued stalemate after mediation need not have any immediate consequences.
<i>The information level</i>	If negotiations are discontinued, the exchange of information between parties is also often interrupted, a development which may give the mediator a monopoly on information.⁶⁴ Consequently, a mediator often seems to possess superior information in comparison with the bargaining parties.	The exchange of information between parties is completely suspended in disarmament negotiations. Therefore, the mediator finds it difficult to dominate communications. Consequently, in the ENDC negotiations both co-chairmen could exchange situation and position reports even if the official negotiations were characterized by great passivity. In all probability, then, the mediator often may have less information than the primary parties.

⁶⁴ Stevens, 1963 : 133 : "... mediation as a substitute for the information strike."

Chapter 3

Mediation and the Stages in a Negotiation Process

3.1. Introduction

In the present chapter, the negotiation process will be broken down into a number of stages which will then be assigned special characteristics. For the purpose of this discussion, it will be assumed that every negotiation must pass through these stages before a final agreement can be reached.

A review of the empirical material supports the thesis that the negotiations should be divided schematically into a number of negotiation stages with specific characteristics. Analogous observations have been made in other studies of the negotiation process. For instance, the literature on collective bargaining contains examples of similar attempts to differentiate the negotiation process into a number of stages.¹

A division of the negotiation process into various stages, that is, a differentiation of a total process into smaller, delimited units or subprocesses can be justified in several different ways. In an analysis of mediation strategies, it is essential to attempt to establish conceivable variations in the preconditions under which the mediator works. Is there, for example, reason to assume that the mediator's freedom of action is progressively restricted as the negotiation process develops? A process analysis can contribute to a better understanding of the mediator's freedom of action in different stages and the general problems with which the mediator is confronted. The most significant problem seems to be the question of when mediation should be initiated. In all probability, the mediator's choice of strategy is influenced to a certain extent by the juncture chosen for the implementation of mediation efforts.

... the mediator may be expected to serve different functions and may be involved in different tactics depending upon when he enters; his timing may have an important bearing on the appropriateness of his intervention.²

The mediator may refrain from intervening in the beginning of the negotiations if the areas of present or future disagreement seem unclear. It has been claimed that early mediation initiatives may, in fact, be counterproductive.

¹ Dunlop-Healy, 1953: 61 ff.; Douglas, 1957: 72 ff.; Douglas, 1962: 12 ff.; Stevens, 1963: 57 ff., 97 ff.

² Stevens, 1967: 275.

The early entrance of the mediator upsets the power balance . . . usually results in a hardening of positions, instead of a realistic appraisal of the situation.³

It is conceivable that the recipient perceives early mediation as an irritation and a threat to his freedom of action. There is, however, no unanimity on this point, for other authors have emphasized the importance of initiating mediation relatively early in the negotiations before the parties have locked their positions and thus, their propensity to make concessions. The mediator may perhaps be able to experience greater success when the parties' prestige and negotiation reputations are of peripheral importance.

It is particularly difficult to mediate disputes when the parties have rationalized or theorized their positions or have tied them in with a general ideological orientation. They are then not practical problems but matters of principle.⁴

An estimate of the effects of the timing of mediation intervention would be facilitated by a careful analysis of the specific type of mediation strategy in question and the particular characteristics of the negotiatory situation on different occasions. In the later stages of the talks, as the mediator's knowledge and information concerning the negotiatory situation increases and becomes more reliable, the risk of mediation initiatives resulting in uncalculated effects is reduced. On the other hand, the mediator's potential to influence the results of the negotiations may also diminish. In a late stage of negotiation, the mediator's efforts are complicated by the necessity of facilitating retreats by other parties in order to achieve compromises.⁵

How, then, does a mediator adapt his activity to a particular stage of negotiation? If a mediator anticipates that other parties will employ certain negotiation strategies, does this expectation guide his mediation efforts? For example, if an initial stage is normally dominated by probing (later called search activities), are the risks of negative effects thereby limited for the party employing this probing strategy since the technique is regarded as "normal behavior" by other parties?

An analysis of mediation strategy must be undertaken in the light of the results of research in the area of general negotiation theory, and the mediator's behavior must be studied in relation to the observation of other parties' behavior. An analysis of mediation strategies must be integrated with a description of the characteristic features of a general negotiation process. A differentiation of this process facilitates comparisons between the negotiation strategies employed by the parties in different stages of negotiation. These comparisons, in turn, may be valuable in attempting to establish anomalies in the parties' behavior. Strategic anomalies are interesting because they represent complica-

³ Northrup, 1962:837. See also Jackson, 1952: 26.

⁴ Kerr, 1954: 237.

⁵ Jackson, 1952: 26.

tions for a party with mediation ambitions. In the following analysis, a review will be presented of the parties' strategic goals and their use of strategy in different stages of negotiation as it has been described in the negotiation literature. The purpose of this review is to illustrate the opportunities for mediation which arise in a negotiation, that is, to describe the mediator's chances to influence the outcome of different stages of negotiation. This corresponds to an analysis of the mediator's attempts to influence partial decisions within the framework of the aggregate decision relating to the final agreement.

The following analysis is based on the assumption that in order to result in an agreement, a negotiation process must pass through a number of key points which mark a series of transitions between different stages of negotiation. Thus, in every negotiation, the parties must determine the subject matter of the negotiation, they must state their positions concerning the alternate solutions under discussion, and if these views are not compatible, the parties must synchronize their standpoints. Finally, the parties must somehow formulate an agreement, either orally or through some form of contract.

3.2. Alternative Bases of Subdivision

3.2.1. The negotiation process as a joint decision-making process

The literature on collective bargaining contains examples of an approach in which negotiation is seen as a technique for joint decision-making. The element of cooperation in the negotiation process is especially emphasized, and elements of conflict and competition receive a less conspicuous role in this type of analysis. This is an interesting approach because the possibility of being able to draw parallels between a single actor's typical decision-making process and a negotiation process would facilitate the discovery of a relevant basis for the latter's subdivision into various stages.⁶ Analytically, it would be valuable if these types of processes were identical or at least quite similar. For this, in fact, would mean that it would be possible to differentiate a negotiation process into different stages corresponding to the stages of an individual actor's decision-making process. One common denominator seems to be that both individual and joint decision-making processes may be interpreted as problem-solving processes.⁷

⁶ Rhenman, 1967: 51, 54; Gustafsson, 1971; and Contini-Zionts, 1968: 398.

⁷ Walton-McKersie, 1965: 137 f. The authors discuss a number of steps in what they call a "joint problem-solving process" which are similar to the stages of a decision-making process. The analysis is carried out within the framework of their "integrative process model."

Sawyer-Guetzkow, 1965: 472. The authors describe the different steps of a negotiation process in which one step is labeled "formulation of alternatives and preferences into a joint decision matrix."

If a negotiation can be regarded as a joint decision-making process in which the participants' individual decision-making processes must be synchronized, ideally, in order to insure the same choice of alternatives by all decision-makers, then the negotiation process ought to be differentiated into stages just as a typical decision-making process has been subdivided into various phases. Such an analytical division would facilitate the study of the mutual adjustment between the individual decision-making process and the joint decision-making process.

This is primarily a question of which approach one chooses to employ in analyzing the stages of the negotiation process. In the context of this analysis, it will be preliminarily assumed that a negotiation process displays certain similarities to a decision-making process, but that in other respects, the negotiation process exhibits certain characteristics which complicate attempts to compare the two processes.

Regardless of whether or not the mediator sees the negotiations as a technique for joint decision-making, he is interested in influencing the other participants' decision-making processes. Therefore, a clarification of the most important stages in a decision-making process is of central importance.

"Decision-making processes," considered in terms of mediation opportunities, are of interest to the mediator in the following cases.⁸

1. In order to reach agreements—final agreements and partial agreements—the participants' individual decision-making processes must be synchronized. The mediator seems to interpret this need for synchronization as a challenge.
2. The mediator can attempt to influence the factors which affect or guide the individual participants' decision-making processes. For instance, the mediator may attempt to alter the participants' strategic evaluation systems, resources, and their perception of the negotiatory situation and milieu. Preventive mediation efforts are especially interesting in this context. It should be noted that certain strategic principles, for example, the acceptability principle, are of central significance for an understanding of the linkage between the joint and individual decision-making processes.
3. The mediator can attempt to influence the conditions associated with the different stages of the participants' decision-making processes during the period in which actual decisions are made (in this context, the overall decision, that is, the aggregate decision concerning the solution of the principal negotiation issue or issues). The following stages illustrate the mediator's opportunities to intervene if he chooses to attempt to influence the participants' decision-making processes:⁹

⁸ Kerr, 1954: 245.

⁹ An elementary review of the stages of a decision-making process can be found in Rhenman, 1967: 55; and Dahl, 1963: 97.

- a) the parties' formulation of goals and their definition of decisional problems, that is, the parties' attempts to delineate the subject matter of the negotiation¹⁰ (as previously mentioned, a decision is not only affected by the goals under discussion at any particular point in the negotiations, but also by expectations concerning other goals which may be realized later in the talks);¹¹
 - b) formulation and inventorying of alternative courses of action in order to reach the goals established in item (a);
 - c) estimation of the consequences of the various alternatives;
 - d) evaluation of these consequences and comparison of the alternatives on the basis of this evaluation; and
 - e) selection of one alternative, that is, the formal act of reaching a decision.¹²
4. Finally, the mediator can attempt to intervene when the mediation object is about to execute or in the process of executing a decision which has already been made. In the latter case, the mediator's efforts are directed towards the parties' action processes, primarily in an attempt to influence their strategic behavior.

To summarize, it will be assumed that a negotiation process is composed of stages which are similar to the steps in an individual actor's decision-making process. In both processes, the parties formulate goals, define the problem area, seek alternative courses of action, and evaluate these various alternatives. All the parties to a negotiation at least officially seek an agreement within a particular problem area. The parties may, however, define the extent and content of this area in different ways. Accordingly, if delineation of the problem and goal formulation are considered to constitute the first stage in a typical decision-making process, then this presumably has an analogue in the joint decision-making process. (Cf. the subsequent discussion on "establishing the negotiation range.")

It is apparent that the parties' decision-making processes during the actual negotiations are characterized by such decisional factors. It is also obvious that parties in a negotiation process mutually attempt to intervene in each other's decision-making process in order to influence each other's goal formulation, expectations, and evaluations. Deliberations are based to a certain extent on what other parties can be presumed to accept.

Dependence on other parties' support is an important component in each participant's strategic deliberations. In the long run, any course of action which lacks the support of other parties tends to be evaluated as an unacceptable

¹⁰ Seipel, 1967 : 170 f.

¹¹ Simon, 1965 : 65 f.

¹² On "estimation of consequences," cf. Gore, 1964 : 80.

alternative by the individual participant. An alternative gains the potential of facilitating an agreement only when it is confronted with the positions of the other parties and is more or less accepted by these parties. Consequently, the participant's evaluation of the effects of various alternatives is based on information which he obtains in the actual negotiations through an analysis of the other participants' propensity to support different alternative decisions.

Presumably, a simultaneous convergence around a particular decision by all participants in a multilateral negotiation is a relatively rare occurrence. In most cases, an eventual consensus on various partial decisions develops in a provisional and often uncoordinated manner (through tacit agreements, for example).

In the ENDC negotiations, formal joint decision-making took place only to a limited extent. Decisions were thus made jointly by the primary parties in their capacity as co-chairmen; the co-chairmen system represented the only formally organized aspect of the ENDC decision-making process. The co-chairmen possessed formal authority in questions concerning the agenda. The other participants did not participate in these or other decisions through any type of voting arrangements.¹³

In this respect, the Swedish delegation, as well as the other members of the non-aligned group, can almost be said to have been isolated from the central decision-making organ over which they had no formal authority. On the other hand, informal joint decision-making was employed in the resolution of issues dealing with the submission of the joint memoranda which were formulated by the non-aligned group.

3.2.2. The strategic goal as a basis of subdivision

Certain authors have preferred to divide the negotiation process into stages according to what has been previously defined as the parties' strategic goal.¹⁴ Ann Douglas, for instance, maintains that during the first stage of negotiations, the parties concentrate on an attempt to delineate the problem and issue areas which the negotiations are to cover. She calls these activities "establishing the bargaining range."¹⁵ The second stage of negotiation refers to "reconnoitering the range" which means that the parties "...seek out the areas that hold some promise of agreement."¹⁶ During this phase, according to Douglas, the parties devote themselves to a search for a provisional contract zone. She also describes in general terms the typical strategic behavior characterizing this stage as "...a kind of incessant trial-and-error scouting." The

¹³ Myrdal, 1970 : 185.

¹⁴ Sjöblom, 1968 : 78.

¹⁵ Douglas, 1957 : 72.

¹⁶ Douglas, 1957 : 75.

parties' goal in the third and final stage is defined as "precipitating the decision-making crisis."¹⁷

Strategic goals can be interpreted in this context as the parties' desire to organize the negotiations within different stages in a way which will facilitate attempts to reach an agreement. Strategic goals entail the parties' estimate of which type of negotiatory structure or framework may be most effective in attaining their goals.

As mentioned previously, these strategic goals include the parties' search for tools which can be used to facilitate agreement. In order to attain substantive goals, the parties may temporarily attempt to reach strategic goals in the different stages of negotiation. These strategic goals may, however, be interpreted as means to other ends, that is, the attainment of substantive goals. The following kinds of strategic goals are relevant in this context:

1. The first type could be called structurally-oriented goals, that is, strategic goals which deal with the organizational and practical planning of the negotiations. Attempts to establish an agenda, or even the kind of compromise procedures advocated by the various parties would be examples of this type of structurally-oriented goal.
2. The second category includes strategic goals which are psychological in the sense that they are related to strategic evaluations and are influenced by the parties' evaluation of what constitutes effective negotiatory behavior and what contributes to a good negotiation reputation. Credibility, positional continuity, and consistency in the choice of strategy exemplify this second type of strategic goal since these qualities facilitate attempts to reach agreement.

3.2.2.1. *The difference between the subcategories of the strategic goals*

The structurally-oriented types of goals are, as a rule, associated with particular stages of negotiation. The psychologically-oriented types of goals are central objectives during the entire negotiation period. The structural goals are thus temporary, while the psychological goals ought to be considered as relatively permanent objectives. The latter type of goal has a general significance apart from its importance in one specific negotiation since these psychological goals are associated with the parties' negotiation reputation in general and thus their performance in other negotiations.

The structurally-oriented types of goals (concerning the negotiation range or the contract zone, for example) are dependent on a certain degree of consensus among several parties. These goals constitute the basic preconditions for the development of the negotiation process, and consequently, a synchronization of the parties' situational definitions and standpoints is to a certain

¹⁷ Douglas, 1957 : 80.

extent necessary if agreement on these vital structural issues is to be reached.

The psychologically-oriented goals are primarily a product of the participant's strategic evaluation system. This circumstance, however, should not be interpreted to mean that the participant, in determining these goals, is not affected to a certain extent by interaction and interdependence between himself and other participants. For this certainly is the case in regard to strategies and strategic behavior involving the acceptability principle. Furthermore, it is also possible to differentiate between the different types of structurally-oriented strategic goals. If compromise, taken as a strategic goal, is compared with other strategic goals such as the delineation of a contract zone, certain principle differences appear. In the case of compromise as a strategic goal, the parties can foresee that pursuing such an objective will lead to certain consequences, for example, the necessity of mutual concessions. A contract zone, on the other hand, can be established without any foreseeable consequences.

Another relevant issue in connection with an analysis of strategic goals is whether substantive and strategic goals are mutually exclusive to a certain extent. Can a party, while attempting to establish different types of agreement, simultaneously seek to attain substantive goals which prevent agreements from being reached? A certain degree of mutual exclusiveness between substantive and strategic goals seems to be of less significance for an independent, unauthorized mediator.

A special form of this mutual exclusiveness between goals might be labeled goal competition. Such competition could arise if a party, while realizing that the establishment of a contract zone was a necessary precondition for the development of the negotiation process, simultaneously demanded that the zone be given a form which the other parties could not be expected to accept. Usually, however, the term goal competition is used to refer to competition between various substantive goals.¹⁸

The following questions seem relevant to an analysis of strategic goals: Is it reasonable to assume that the participants seek to attain a delimited, strategic goal in a certain stage of negotiation? For example, do they attempt to formulate their joint goal in an initial stage of the negotiations? In a similar fashion, can it be assumed that attempts to achieve certain strategic goals will be considered inappropriate in other stages of the negotiation? For example, is it probable that the parties will discuss the substance of the final agreement or attempt to define the boundaries of the contract zone in the initial stage of the negotiation? What will be the consequences for the participant if he attempts to consolidate his standpoints in the initial stage of negotiations and thus contradicts what the majority of participants consider to be practice?

¹⁸ Contini-Zionts, 1968 : 397. On goals and the formulation of goals, see Melesko, 1970.

3.2.3. Strategic behavior as a basis of subdivision

Some authors differentiate the stages of the negotiation process according to the typical activities which are assumed to characterize the different stages. Activities are usually interpreted to mean the use of certain strategies. Carl Stevens contends that

In the early stages the essentially competitive tactics of coercion and deception – tactics by means of which each party attempts to “move” his opponents’ position in his own favor – will be relatively more prominent.¹⁹

In this context, the following questions seem pertinent. Is it possible to discriminate types of strategy which seem to be associated with particular stages of the negotiation process? That is, is it possible to determine the stage of negotiation on the basis of an analysis of the strategy employed on any particular occasion? Furthermore, is it possible to associate certain structures of activity with different types of strategy?²⁰

3.2.3.1. *Classification of stages and the problem of “stage ambiguity” — some methodological comments*

Differentiating the negotiation process according to activity criteria is a problematic operation. As Stevens notes, one analytical problem connected with this type of classification is that the same or similar strategies are employed in several different negotiation stages:

... In general, although we should expect the tactic mix to vary as the negotiations progress, most of the tactics and tactical problems discussed may appear at any stage of negotiation.²¹

Even if it seems probable that certain types of strategies dominate the different stages of negotiation, it is difficult to determine how far the negotiation process has progressed in a particular situation. Accordingly, any attempt to identify strategic anomalies at a certain stage of the negotiations should be complemented by an analysis of the substantive goal associated with that same stage. Which goals, for instance, were cited in the particular case, and did these goals fall within the established negotiation range? It is perhaps reasonable to assume that a party who engages in comprehensive reconnoitering or initiates new demands in the final stage of the negotiation is not likely to accept a final agreement unless certain marginal corrections are incorporated in this final result. If the results of the reconnoitering were previously unknown to the recipients, this new information can be expected to entail at least a delay in the negotiations.

¹⁹ Stevens, 1963 : 11, 33, 59, 87.

²⁰ Dunlop-Healy, 1953 : 61.

²¹ Stevens, 1963 : 11.

The primary problem in observing the parties' activity is the difficulty involved in establishing the type of strategy which seems to dominate a particular negotiation stage and whether or not this is an indication that the party seeks to attain a particular strategic goal. In a multilateral negotiation, the parties often have disparate goals which they attempt to achieve by employing various types of strategies.

Any attempt to differentiate the stages of a negotiation according to strategy criteria demands extreme simplification. It is even more difficult to establish such classification schemes in a multilateral context. The problem is accentuated in negotiatory situations in which the parties employ several strategies simultaneously. If several collateral issues are also dealt with concomitantly, the situation becomes even more complicated. This can mean that a party's strategies are adapted to the solution of a partial problem associated with the initial stage of negotiation, while other parties are engaged in the completion of another issue which necessitates the use of other types of strategy. This situation is especially significant in the present analysis due to the comprehensiveness of the general, long-range goal of the negotiation, that is, disarmament. This means that even relatively comprehensive negotiation results must actually be interpreted as only a realization of partial goals.

In essence, the problems described above are also applicable to an analysis of strategic goals. A differentiation of the negotiation process according to the parties' strategic goals presupposes a significant degree of compatibility among the parties' strategic goals. If, therefore, the parties have disparate strategic goals, it may become difficult to characterize the stages on the basis of these varying goals.

The problem is simplified if the analysis is directed towards one particular participant's subjective view of the development of the negotiation process. This party's use of strategy can then be analyzed on the basis of his avowed interpretation of the strategic goal. Thus, concentrating on one participant may partially solve the problem, but certain difficulties remain in determining when the negotiation process makes a transition from one stage to another.

As a matter of fact, it would be difficult on a temporal basis to locate cutoff points when one phase might be said to have been exhausted and another to have opened up.²²

This means that when the primary strategic goal in question is attained, the negotiation process moves on to the next stage. Such "changes" often seem to occur relatively quickly after a period of protracted negotiations: "Changes in overt behavior come as spurts . . ." ²³

²² Douglas, 1962: 13. Cf. also Douglas' description of "the behavior overlappages."

²³ Douglas, 1962: 13.

3.3. The Initial Stage of the Negotiation Process

3.3.1. Characteristic I: The strategic goals of the parties

In the following analysis, the negotiation process will be divided into three subprocesses or stages based on the strategic goal as the primary classification criterion. In addition, the activities which are most likely to dominate each stage will be discussed. Possible coordination of strategic goals will be considered from the perspective of a joint decision-making process. As previously shown, similar types of descriptions can be found in the negotiation literature.

A review of the material relevant to this analysis, however, indicates that one must be quite cautious in associating different stages of the negotiation with a type of "normal pattern of behavior," for example, behavior expressed in terms of the parties' typical choice of strategy. On the contrary, it seems that the same strategies are often employed in several stages of negotiation, albeit with varying degrees of intensity and success in attaining strategic and substantive goals.

There may be a better justification for using the parties' attempts to realize delimited, strategic goals seen in terms of a joint decision-making process as the primary criterion on which to base a differentiation of the negotiation process.

Certain distinctions ought to be maintained in differentiating the stages of the negotiation process. The following "types" of initial stages are theoretically conceivable:

1. the initial stage of a particular formal negotiation (for example, the ENDC negotiations), that is, the period immediately following the start of the negotiations;
2. the initial stage in the treatment of a particular collateral issue (for example, the initial stage of the test ban negotiation, a negotiation which had begun earlier than the ENDC negotiations); and
3. the initial stage of a particular formal negotiation dealing with a certain collateral issue (for example, ENDC's treatment of the test ban issue).

It is possible that in some instances, the first and third categories coincide. Accordingly, negotiations dealing with a non-proliferation treaty ought to be seen as an independent negotiation process within the framework of the ENDC negotiations. It is the third category which is of primary interest in this study. This does not mean, however, that the history of a specific collateral issue dealt with before the start of ENDC can be neglected.

This type of differentiation ought to be seen as a provisional frame of reference which is capable of being revised and complemented in light of subsequent empirical analysis. All the stages of negotiation investigated have

been protracted in nature. 'This kind of negotiatory inertia has been noted in other investigations dealing with negotiation milieux different from the one analyzed here. For example, although the tempo of labor-management negotiations seems quicker than the pace of international disarmament talks, a certain degree of inertia has been observed even in the collective bargaining context.²⁴

The initial stage of the negotiation is dominated by the parties' attempts to determine jointly the issues with which the negotiations are to deal, that is, the parties endeavor to establish a negotiation range.²⁵ In the future, *negotiation range* will be interpreted as the parties' estimate of the number of possible negotiation outcomes. The negotiation range can be formally regulated through directives from the organization or organizations which initiated the negotiations. In this case, the parties' activity consists primarily in interpreting the prescribed goals formulated by these higher authorities.

Discussions concerning the agenda and other procedural questions usually characterize the initial stage. The formal structuring of the negotiation, however, will not be discussed here.²⁶

The actual negotiation range consists of the parties' subjective estimate of the number of possible negotiation outcomes.²⁷ The negotiation range spans a scale from minimum expectations at one end to maximum expectations at the other. The degree of consensus required for the establishment of the negotiation range seems to be restricted to the parties' agreement to declare their substantive goals and to define the problem areas and basic issues with which the negotiations are to deal. This, in turn, eventually leads to the crystallization of conceivable or probable outcomes. The boundaries of the negotiation range consist of "... the outer limits of the range within which they [the parties] will have to do business with each other."²⁸ During this period, areas of disagreement eventually become more clearly delineated. Different strategic estimates of the suitability of first revealing their goals may complicate and prolong this stage of negotiation for the parties. In order to attain the strategic goal of establishing the negotiation range, the parties' substantive goals must be coordinated, a process which illustrates the linkage between strategic and substantive goals.

To a certain extent, the formulation of substantive goals is influenced by

²⁴ Douglas, 1962 : 14, 33.

²⁵ Douglas, 1957 : 72.

²⁶ Cf. the discussion in Chapter 2.

²⁷ Iklé-Leites, 1962 : 21. Midgaard, 1967 : 189. Midgaard defines bargaining range as "... the number of possible negotiation results ...". Douglas, 1957 : 73 : "That function I refer to as the setting up of the bargaining range, that is, a stretch of territory within which the parties propose to move around until they can reach consensus on a single settlement point."

²⁸ Douglas, 1957 : 73.

strategic considerations. For example, a party may consider the interests of other parties and modify his own goals accordingly. Modifications of the substantive goal in an attempt to adapt to other parties' standpoints and positions is particularly interesting in an analytical respect. This is because the substantive goals observed in the initial stage of negotiation provide the analytical basis for a comparison between the extent of a party's original constellation of goals and later goal concessions, that is, modification of goals in response to the demands or desires of other parties.

As long as the parties have not specified their substantive goals, it is impossible to estimate the number of possible negotiation outcomes. Consequently, the establishment of the negotiation range presupposes that the parties have already formulated their substantive goals. After the parties become cognizant of each other's goals, these goals must be coordinated.²⁹ The negotiation process cannot continue as long as the negotiations lack a goal which has been jointly formulated by the parties (for example, a principle agreement to resolve a certain collateral issue). As long as the parties have not revealed their goals, it is almost impossible to compare alternative solutions to problems according to their possible consequences.³⁰ Therefore, it seems difficult for a party with mediation ambitions to break a stalemate occurring in the initial stage of negotiation.

3.3.1.1. The initial stage and the individual decision-making process of the parties

Conceivable alternatives:

1. The parties begin the negotiations with a decided view of which questions ought to be dealt with and what an eventual agreement ought to contain. There obviously are certain strategic advantages in claiming that decisions have already been made and that these decisions cannot be modified.
2. The parties enter the negotiations with provisionally and tentatively formulated goals and do not consider themselves bound to any specific solutions. The parties postpone their search for alternative courses of action and their evaluations of these alternatives until the other parties have clarified their own negotiatory positions. The grounds on which decisions are based are considered incomplete as long as the standpoints of the other parties have not been revealed. This alternative seems to be a realistic variant. For it seems reasonable to suppose that the participants compare their own negotiatory goals with the demands of other parties before they unequivocally bind themselves to specific goals.

²⁹ Cf., for example, Nicholson, 1970: 4 "The goals of the parties are initially incompatible, and the process of bargaining is to make them compatible."

³⁰ Seipel, 1967: 172.

3. The parties enter the negotiations without any preconceived demands concerning the construction of the negotiation range or the substance of an eventual agreement. If the parties have formulated certain substantive goals before the start of the negotiations which prove to be so contradictory that they threaten to stalemate the proceedings, then the parties must attempt to mutually adjust their differences in the initial stage of the talks to the extent that the negotiation process can continue to develop. A party interested in reaching an agreement must weigh the possible losses in terms of goal realization which concessions to other parties might entail against the estimated advantages associated with reaching a viable settlement. However, in the initial stage of negotiation, the parties' evaluation of the utility of reaching an agreement is problematic since they may have only a vague idea of what a final agreement might contain.

Thus, the creation of a negotiation range is a complicated process which presupposes a certain temporal synchronization of the parties' goal formulation. To a great extent, the amount of leeway for modifications in the parties' positions and the possibilities of reaching compromises later in the talks are determined in this initial stage of negotiation. If the parties choose to negotiate about several issues simultaneously, in all probability the opportunities for compromise are often multiplied since the number of alternative patterns of mutual adjustment also increase. Although the possibilities of mutual concession become more involved, at the same time, the potential for strategic variations seems to increase—a situation of great import, especially for the mediator.

The degree of flexibility in the parties' goal formulation is therefore of central strategic significance to the mediator.³¹ In certain respects, the use of ambiguous formulations may certainly help maintain other parties' expectations, but it also complicates the task of suggesting concrete compromise solutions. This problem is also exacerbated by difficulties in making accurate prognoses.

It is difficult for the investigator to determine when compatibility exists between the parties' goal formulations. This problem is significantly reduced, however, if the analysis is concentrated on a single participant's subjective calculations and his potential to influence the extent of the negotiation range. The participant's evaluation of the development of the negotiation process and his willingness to accept a transition from one stage to another may vary. For example, a party with mediation ambitions may feel that the primary parties must reach an understanding on the basic contents of an agreement before the negotiations can continue. The other participants may perhaps accept the negotiation range as a temporary arrangement rather than disrupt

³¹ On the strategic significance of "flexibility," see Iklé, 1964 : 194.

the negotiations. If the secondary parties do not accept the negotiation range as a provisional framework for continued talks, the possibilities of reaching an eventual agreement may be jeopardized.

Even if the parties are not in full agreement over the definition of the negotiation range, they may redirect their attention away from this issue by abandoning their demands for alternative constructions. It is even conceivable that as long as the negotiations are in session, most of the parties may consider the negotiation range to be a temporary arrangement amenable to marginal adjustment during the course of the talks.

In connection with their attempts to establish a joint substantive goal for the negotiations, the parties may endeavor to identify potential obstacles to agreement. Practical problems which the parties associate with the solution of some special question have a decisive impact on their choice of negotiation issues. The parties choose an issue which they think can be resolved within the foreseeable future. In the initial stage of the negotiation process, it is natural, then, for the parties to inventory the problems which they associate with the negotiatory alternatives being discussed. In short, the parties attempt to demarcate the main problems.

3.3.2. Characteristic II: The strategic behavior of the parties

In this section, a short overview will be given of the attempts which have been made in the negotiation literature to differentiate the negotiation process into stages on the basis of the types of strategy employed by the parties. The basic question in this context can be formulated in the following way: Is each stage of negotiation dominated by the use of strategies especially adapted to that particular stage, and if so, does this affect the mediator's strategic behavior?

Evidence indicating that certain types of strategies do seem to be typically associated with the various stages of negotiation would contribute significantly to an understanding of the mediator's behavior. For the recognition of a connection between stage and strategy would confront the mediator and even other parties with a series of strategic choices: Will the mediator adapt to what he considers to be the main strategies of a particular stage of negotiation, or will he, according to his interests as a mediator, attempt to modify the prevailing pattern of activity? In the latter case, in which situations will the mediator himself attempt to implement new types of strategies or encourage others to employ different strategies? For example, is it rational from the mediator's standpoint to attempt to prevent the parties from limiting their freedom of action by making inflexible commitments in one stage of the negotiation while encouraging such commitments in other stages?

The following activities and types of strategy can be preliminarily assumed to characterize the initial stage of the negotiation process:

1. *Search activities*: The parties attempt to survey the negotiatory situation by employing a type of reconnoitering here called search activity which is the implementation of search strategies.³² In the initial stage of the negotiations, these search activities are directed towards an attempt to investigate the preconditions of the negotiation range and to trace the extreme limits of this range. It is through these initial-stage search activities that the parties demand adjustment in the span of the negotiation range. On the other hand, in international multilateral negotiations where the parties' prognoses point to a protracted course of negotiations, specific demands for solutions are seldom raised in the initial stage of the talks. In such cases, parallels with collective bargaining processes do not seem applicable.³³

The need for search strategies varies in different negotiations according to the parties' expertise in the subject matter under discussion and their knowledge of each other's standpoints and values. Discussions on the boundaries of the negotiation range can be expected to recur more or less periodically throughout the entire course of the negotiations. In this case, search activities are employed to coax the participants into revealing previously unexpressed substantive goals. The parties may also reveal their actual substantive goals in the process of attempting to justify their interpretation of the structure of the negotiation range through the use of information-giving strategies.³⁴ If the mediator succeeds in altering the recipient's decisional premises by introducing new information, it seems imperative that the mediator initiate mediation efforts based on this new information. In this way, the mediator has a greater chance of influencing the recipient's decision-making process than if the recipient was allowed to interpret freely this new information.

2. *Persuasive strategies*: After the negotiations have begun, the parties first formulate and then argue for their particular interpretation of the legitimate boundaries of the negotiation range: "There are vehement demands and counter-demands, arguments and counter-arguments."³⁵ In the initial stage of negotiation, these arguments are often couched in terms of general

³² Cf. the analysis in Chapter 5. Stevens, 1967 : 275 f: "They have also emphasized that it is important during the early stages, to perform the information-giving and seeking job of blocking out the contract zone." "The information job" seems to be relevant even in the case of the negotiations analyzed here. In contrast to Stevens, it will be maintained here that "blocking out the contract zone" does not characterize the initial stage to any great extent, even if the occurrence of certain preliminary attempts to define a contract zone cannot be entirely excluded in this stage of negotiation.

³³ Douglas, 1957 : 72.

³⁴ On information-giving and seeking functions, see Stevens, 1963 : 61.

³⁵ Douglas, 1962 : 14. On persuasive strategies, cf. Stevens, 1963 : 67-73; Iklé, 1964 : 197 ff.; and Stevens, 1967 : 277 : "Persuasion is frequently identified as an important mediation tactic."

principles. This type of initial argumentation can serve various purposes and can be aimed in different directions. In advancing their substantive goals, the parties attempt to convince the other participants that these goals are compatible with the general substantive goals of the negotiations as prescribed by the constituting authority.

3. *Use of commitments:* The commitments made in the initial stage of negotiation may not actually reflect a party's minimum positions. Instead, they may be padded with a certain number of less vital demands which can be abandoned later in the negotiation in order to demonstrate the party's propensity to compromise. Initial commitments can also be interpreted as an expression of the party's maximum expectations concerning the final agreement. On the other hand, the party may commit himself to certain positions merely in order to precipitate a concrete discussion of the negotiation range.³⁶ The following hypothetical example is an illustration of the type of commitment which might facilitate the establishment of the negotiation range: A party promises to take up some specific issue in a future negotiation in return for another party's acceptance of a more limited negotiation range. As previously mentioned, however, commitments are seldom made in the initial stage of negotiation, at least not in negotiations which are expected to be protracted.

"Initial large demands" may occur at the beginning of certain negotiations.³⁷ Such demands seem to lessen the prospects for successful mediation. For under these circumstances, if agreement is to be reached, significant concessions on the part of those who advanced these claims are now required from the very beginning of the negotiations, and such early concessions may damage the parties' negotiation reputation.

3.3.3. ENDC and the initial stage of the negotiation process

3.3.3.1. *Establishing the negotiation range: The test ban case*

Although the ENDC negotiations (which took place between 1962 and 1969) were protracted in nature, the initial talks on a prohibition of nuclear weapon testing led to the Moscow Treaty of 1963 which did include a partial nuclear weapon test ban.

Negotiations on the test ban issue had taken place for several years before the commencement of ENDC. Consequently, the primary parties were acquainted to a great extent with each other's standpoints and values, especially each

³⁶ On the strategic significance of "commitments," see, for example, Walton-McKersie, 1965: 116–121; and Schelling, 1963: 22 ff.

³⁷ On "initial large demands," see Stevens, 1963: 32 f., 60.

other's strategic evaluations. The rapid establishment of the negotiation range, that is, the quick transit through the initial stage, can probably be explained by the fact that the participants had gained experience in earlier negotiations.

The altered characteristics of the negotiation milieu, for example, the increase in the number of participants from ten to seventeen, makes it still possible to speak of an initial stage of the ENDC negotiations dealing with the test ban question even if certain problems concerning that issue were resolved before the ENDC negotiations began. At least a partial acceptance of the negotiation range by the new participants was, however, necessary if the negotiation process was to continue to develop.

Sweden's attempts to influence the parties' goal formulation seem to have been complicated by the circumstance that the primary parties sought to attain substantive goals of a diverging character, for example, goals framed in different time perspectives. It has been claimed that the United States and the Soviet Union held essentially different views on both substantive goals and the most appropriate ways of achieving those goals:

Soviet negotiators have a style of thinking that is unlike their American counterparts. They approach problems from the most general and universal position. First, general principles must be agreed upon, then one proceeds to the particulars. This absolute, deductive way of thinking clashes with the pragmatic, legalistic approach of the Americans, which starts with a specific issue and ultimately expands into a general principle.³⁸

If this observation is accurate, such divergent perspectives may have complicated the mediation efforts of a party seeking to harmonize incompatible goals. For example, it seems difficult to offer a proposed package solution to a party who claims that collateral issues ought to be resolved separately.³⁹ On the other hand, offering a package solution to a party with long-range and comprehensive goals places great demands on the party's ability to make prognoses.

The following section contains a summary of the Swedish interpretation of the initial stage of the negotiation process. This interpretation ought to be seen as a participant's subjective picture of the development of the negotiation process.

The "level of development" of the negotiation process, considered in relation to the parties' use of strategy, will repeatedly become the focus of attention during the subsequent analysis, particularly in the chapters dealing with search and compromise strategies. This type of review should provide a certain indication of the degree of realism associated with schematic differentiations of a negotiation process.

³⁸ de Rivera, 1968 : 397.

³⁹ Concerning package solutions, see Chapter 7.

3.3.3.2. *Establishing the negotiation range: The NPT case*

Probably a more typical initial stage could be discerned in an analysis of the Non-Proliferation Treaty (NPT) negotiations which were more protracted than the earlier test ban negotiations, largely due to a persistent disagreement between the primary and secondary parties concerning the extent of the negotiation range.

After the partial test ban treaty was signed on 25 July, 1963, general disarmament issues became the primary concern of the ENDC negotiations. The parties' attention was subsequently concentrated on the issue of nuclear weapon proliferation to nations which at that time did not possess such weapons. The Swedish disarmament delegation participated in the discussions which followed the Moscow Treaty concerning the subject matter of future negotiations. This period will be considered here as the initial stage of the NPT negotiations. It should be noted that this stage directly followed a period of successful negotiations, and the participants' interpretation of the negotiatory situation was thus characterized by a form of "post-agreement" experience.

The successful conclusion of the partial test ban treaty has given us the right to hope that within a short time other important steps forward will follow on the road to disarmament⁴⁰

The Swedish delegation was, however, rather cautious in connection with attempts to establish a negotiation range. Their reaction was formulated in tentative terms as an admonition to all the participants (including themselves) to "ponder over some of the collateral measures which are next on the agenda of the conference in more general terms without committing ourselves to firm positions."⁴¹ The Swedish delegation proposed that a negotiation range be established which would be broad enough to satisfy the interests of the smaller states: "... how are the smaller nations to become fully engaged in the struggle for disarmament?"⁴² Sweden also hoped to avoid the potential obstacles to agreement which had been encountered in earlier negotiations. The negotiation issues which ought to be prioritized were

... measures where the difficulties of control are minimized ... there is greater hope for a successful meeting of minds ... if we concentrate attention on disarmament measures which, in the first instance, only call for control measures generally acceptable at present.⁴³

⁴⁰ ENDC/PV. 156: 17.

⁴¹ ENDC/PV. 156: 18.

⁴² ENDC/PV. 156: 18.

⁴³ ENDC/PV. 156: 18.

Any type of unity around a joint substantive goal could not, however, be reached. The primary parties concentrated their efforts on the establishment of a non-proliferation treaty while the non-aligned states sought to achieve package solutions which, in addition to a ban on proliferation, would include a comprehensive test ban (even on underground tests) and a halt in production of fissionable material for weapon purposes. This substantive goal presupposed the existence of a broader negotiation range than the primary parties had anticipated. The non-aligned states based their position on the UN statements in which the UN had admonished ENDC to deal with certain disarmament issues. As late as 1966, three years after the signing of the Moscow Treaty, the Swedish delegation demanded that the negotiations be broadened to reflect the definition of the formal negotiation range as prescribed by the UN. The Swedish delegation attempted to change the primary parties' view of the negotiation range.

Such a test ban we must achieve, and we must achieve it in this session. When we recall our United Nations assignment it is evident that we have no right to work solely on one possibility, the prospect of concluding a non-proliferation agreement... we must also proceed with the comprehensive test ban and, I hope, other collateral measures such as a halt of production of fissionable materials for weapon purposes.⁴⁴

In an initiative on 4 August, 1966, the Swedish delegation maintained that the most effective method of preventing the proliferation of nuclear weapons would be a ban on both underground testing and on the production of fissionable material for weapon purposes.

It has seemed to my government... that the superpowers have not yet given sufficient attention to the possibility of employing those very direct methods of achieving non-proliferation.⁴⁵

At the same time, the conference was reminded of the difficulties experienced by the primary parties in reaching agreement on a non-proliferation treaty.

The Swedish view is an interesting strategic variant. Sweden accepted the primary parties' goal and joined in their efforts to prevent the proliferation of nuclear weapons, but instead of a non-proliferation treaty, Sweden suggested other means of reaching the proposed goal of checking the spread of nuclear weapons. The Swedish proposal, if it had been accepted, would have significantly restricted the superpowers' freedom of action in matters of national security since underground nuclear testing played an important

⁴⁴ ENDC/PV. 256: 9. The delegation cited *United Nations Resolution 2032 (XX)* and ENDC/161 which demanded more comprehensive negotiations and results than a non-proliferation treaty. Cf. also ENDC/PV. 247.

⁴⁵ ENDC/PV. 279: 5.

part in the experimental phases of development of the superpowers' more sophisticated weapon systems (ABM, for example).⁴⁶

The superpowers' substantive goal of reaching a settlement of the proliferation issue seemed to have been a conditional one, for in all probability, they were willing to reach an agreement only if it did not interfere with their national security planning. During the period between the Moscow Treaty of 1963 and the Non-Proliferation Treaty of 1968, the conditional nature of this goal collided with the demands for superpower concessions as a precondition for an acceptance of NPT.

In order to be quite realistic, I believe, we should discuss a time table for the entry into force of various types of obligations, taking into account the necessity for a gradual phasing-out plan . . . but taking into account also what has been called the balance of mutual responsibilities and obligations (A/RES/208 (XX) ENDC/161) which the non-nuclear weapon States are interested to see observed.⁴⁷

3.4. The Intermediate Stage of the Negotiation Process

3.4.1. Characteristic I: The strategic goals of the parties

The intermediate stage is dominated by the parties' joint attempts to establish a contract zone. The *contract zone* can be interpreted as the parties' estimate of the number of acceptable negotiation outcomes, that is, the range of outcomes the parties would prefer to no agreement.⁴⁸ The contract zone contains the total number of acceptable negotiation outcomes which remain after all the parties, on the basis of the current negotiation range, have rejected certain alternatives as unacceptable. The remaining alternatives represent the contract zone. The contract zone encompasses the parties' subjective estimate of the number of acceptable outcomes, while the negotiation range, as previously defined, refers to the parties' subjective estimate of all possible negotiation outcomes.

The establishment of a contract zone presupposes that the parties consider a number of alternative ways of reaching agreement. For the mediator, this can entail the search for new alternative courses of action, the interpretation of known alternatives, and the evaluation of the consequences of all these various alternatives.

The establishment of a contract zone presupposes a series of individual

⁴⁶ AK, 1967, B12:7: "Such agreements would even restrict the nuclear weapon powers' freedom of action and check the continued build-up of their arsenals."

⁴⁷ ENDC/PV. 281: 5.

⁴⁸ The definition is based on a formulation by Stevens, 1963: 11: "The contract zone is a range of outcomes each of which is preferred by both parties to no-contract." Cf. also Stevens, 1967: 275 f.

deliberations on the part of each participant. But in addition, the creation of the zone demands that these individual deliberations be compatible to a significant degree. Consensus on a contract zone can be established through compromise or through unconditional support being given by one or several parties to the interpretation of the contract zone put forward by a dominant party or constellation of parties.

Since a fewer number of alternatives remain after the contract zone is established, the transition from the initial stage to the intermediate stage of negotiation usually entails a limitation of the parties' freedom of action.⁴⁹ This ought to be seen as a necessary development in the process of eventually achieving a definite agreement. The significance of the contract zone in the development of the negotiation process has been formulated in the following manner:

... Whether a contract zone exists is of course critical to the outcome of the negotiations. If no contract zone exists ... then the only possible outcome is 'no agreement'.⁵⁰

The boundaries of the contract zone seem particularly difficult to delineate, a situation which has no little bearing on the parties' use of strategy.

The analysis will differ greatly depending upon whether the parties are assumed to be certain or uncertain about the limits of the zone.⁵¹

A partial explanation of the difficulties involved in accurately defining the contract zone is that the parties often consciously formulate their interpretations of different alternatives in an ambiguous manner in order to preserve their freedom of action. At the same time, however, this lack of precision also creates maneuvering room for a party with mediation ambitions.

Even if the boundaries of the contract zone seem clear in a particular collateral issue, this does not mean that these boundaries are stable. As long as the negotiations are in session, any of the participants may attempt to modify the contract zone, and a rational party must calculate on such attempts being made. Each participant can at least marginally regulate the contract zone on his own by modifying his propensity to compromise, a response which increases the number of potentially acceptable alternative outcomes. The parties therefore seem to look upon the contract zone as a provisional arrangement throughout the entire course of the negotiations.

3.4.2. Characteristic II: The strategic behavior of the parties

From a strategic standpoint, the intermediate stage seems to be the most

⁴⁹ Ramström, 1969 : 23.

⁵⁰ Stevens, 1963 : 11.

⁵¹ Stevens, 1963 : 11.

active stage of negotiation. "The middle stages involve the most tactical play of the negotiation game."⁵²

In this stage, the parties, through the use of both persuasive and coercive strategies, attempt to influence each other's standpoints and expectations.

The parties may be viewed as 'operating' upon each other by means of various tactics such as persuasion, rationalization, bluffs, threats, promises and so forth.⁵³

The parties investigate each other's propensity to make concessions:

There is a continued attempt to explore the position of the other side, to seek to ascertain on which issues some concession is possible and on which no change is likely.⁵⁴

The parties attempt to test the stability of each other's positions:

Hence in phase two the main interest of each party necessarily turns toward testing out its various hypotheses about the other...⁵⁵

At the same time, the parties can be expected to attempt to reinforce their own negotiatory positions by making provisional or formal commitments: "...each party begins to consolidate his own position..."⁵⁶ The mediator may intervene when he wishes to prod the parties into making commitments which are in accord with his estimate of the solutions which might lead to an agreement. To prevent the parties from prematurely committing themselves, the mediator can introduce new information in order to stimulate the parties into evaluating the utility of restricting their freedom of action before they have fully considered the new information.

The parties continue to search out and identify the main obstacles to agreement. Experience from the initial stage of negotiation provides the parties with a certain indication of the nature and location of these obstacles. "The failure to agree is manifest" are the terms used to describe the situation in which the parties estimate that a particular obstacle to agreement will remain a more or less permanent problem.⁵⁷ As long as no contract zone exists, the parties may remain in doubt as to what actually constitutes these obstacles to agreement. This uncertainty seems to be one of the reasons why the parties employ information-seeking strategies even in this stage of negotiation.

⁵² Stevens, 1967 : 276.

⁵³ Stevens, 1967 : 276. Concerning these strategies, see, for example, Iklé, 1964 : 62 ff.; Schelling, 1963 : 35 ff., 124; and Boulding, 1962 : 253. Boulding defines threat as a negative promise. Sawyer-Guetzkow, 1965 : 483. Concerning bluffs, see Stevens, 1963 : 89 ff., 131.

⁵⁴ Dunlop-Healy, 1953 : 62.

⁵⁵ Douglas, 1957 : 77.

⁵⁶ Stevens, 1967 : 276.

⁵⁷ Stevens, 1967 : 272.

3.4.3. ENDC and the intermediate stage of the negotiation process — the NPT case

During the interval between the Partial Test Ban Treaty of 1963 and the Non-Proliferation Treaty of 1968, Sweden made recurrent attempts to broaden the contract zone so as to include other collateral measures in addition to a non-proliferation treaty which was considered to be an all too limited result. Sweden criticized Soviet-American NPT drafts which were considered to give undue priority to the interests of the nuclear powers.⁵⁸ UN resolutions were cited which contained admonitions to ENDC to resolve even other problems in addition to the issue of nuclear weapon proliferation.

As one such measure, non-proliferation, is being dealt with in a separate series of meetings, we interpret the present work schedule as meaning that we should now focus on some of the others. First and foremost among those must be a comprehensive test ban, as we have a specific and pressing mandate to that effect in United Nations Resolution 2032 (XX ENDC/161) significantly entitled 'Urgent Need for Suspension of Nuclear and Thermo-Nuclear Ttests'.⁵⁹

When the Soviet Union and the United States attempted to direct the participants' attention towards NPT drafts, the non-aligned group claimed that the Soviet-American draft proposals were not the only documents which had been provided as a basis for the committee's treatment of the non-proliferation issue. At this point, the non-aligned states referred to one of their own joint memoranda whose thesis regarding balanced obligations between nuclear and non-nuclear powers corresponded to the theme expressed in a General Assembly resolution on the proliferation issue.⁶⁰

Even if Sweden attempted to broaden the contract zone by demanding the simultaneous resolution of several collateral issues, certain statements also indicate that the Swedish interpretation of the real contract zone was similar to the primary parties' view, namely, that the NPT issue ought to have priority over other matters:

No draft text of a non-proliferation treaty, which was supposed to be our main working document, has been presented.⁶¹

Consequently, even if Sweden advocated the adoption of measures to prohibit the proliferation of nuclear weapons other than those proposed in the Soviet-American drafts, the latter proposals were eventually welcomed by the Swedish government as a significant accomplishment.

⁵⁸ ENDC/PV. 243 : 4 ff.

⁵⁹ ENDC/PV. 247 : 13.

⁶⁰ This view was expressed in a joint memorandum on a comprehensive test ban treaty (ENDC/177). On another joint memorandum, it was argued that "The treaty should embody an acceptable balance of mutual responsibilities and obligations of the nuclear and non-nuclear Powers". (See ENDC/178.)

⁶¹ ENDC/PV. 300 : 4.

The Swedish Government greets with the greatest satisfaction that the United States and the Soviet Union have been able to put forward in Geneva today identical drafts of a treaty to prevent the spread of nuclear weapons, even if a text of the article on controls is not yet available.⁶²

This apparently positive reception did not prevent Sweden from promptly criticizing the primary parties' attitude towards the proliferation issue.

I will not hide the fact that one of our preoccupations concerns the desire to see inscribed in the treaty more binding obligations on the main Powers.⁶³

As previously indicated, the draft treaty lacked the central control article which might have guaranteed compliance with the agreement. Shortly after the presentation of the draft treaty, the Swedish delegation submitted a memorandum containing a proposed control article. The Swedish representative prefaced the introduction of the proposal with the following comment:

... the Swedish Government has considered it useful to present to the Committee today a preliminary and tentative text of an article on international controls.⁶⁴

The cautious nature of this comment indicated a significant degree of flexibility in the Swedish attitude towards the control issue. The importance of this flexibility in terms of the possibility of reaching a compromise on this matter will be analyzed in connection with a subsequent study of compromise strategies.

The following comment essentially illustrates the Swedish attitude towards the use of strategy in the intermediate stage:

A solution of these issues, and perhaps most crucially the issue of what control system to apply, could only be furthered by the give-and-take in an open debate, unfettered by positions locked in advance.⁶⁵

In the intermediate stage of negotiation, the possibility of considering all conceivable alternative solutions is limited as long as the contract zone has not been formally established. This difficulty was noted in a statement made before Parliament by the Swedish government in connection with a review of the ENDC negotiation developments:

The remaining negotiation round dealing with a proliferation ban concerns the nuclear weapon powers vis-à-vis the non-nuclear weapon powers. In this context, a series of questions become relevant, some of which are of a technical nature in connection with the issue of control. These questions can, however, hardly be dealt with before some type of draft treaty is submitted to the disarmament conference.⁶⁶

⁶² ENDC/PV. 325: 19.

⁶³ ENDC/PV. 327: 9.

⁶⁴ ENDC/PV. 327: 9.

⁶⁵ ENDC/PV. 300: 5.

⁶⁶ AK, 1967, B 12: 7.

This statement also illustrates the difficulty in formulating alternative courses of action as long as the parties have not localized the fundamental obstacles to agreement. As long as the parties have not submitted any draft treaties, it is quite a complicated task to estimate the extent of disagreement between the parties.

3.5. The Final Stage of the Negotiation Process

3.5.1. Characteristic I: The strategic goals of the parties

In the final stage, the parties attempt to reach an agreement within the framework of the established contract zone by uniting on a set of solutions which can be developed into a final treaty.

The parties' freedom of action is continually restricted to the point where all alternative courses of action have been excluded except the alternative which leads to agreement.

An analysis of the later (predeadline) stage of collective bargaining negotiation focuses upon the process whereby agreement is or is not achieved.⁶⁷

If the negotiation process can be interpreted as a type of joint decision-making process, the final stage represents the completion of this process.⁶⁸ If the negotiations are successful, previously submitted draft treaties are replaced by a comprehensive, formal treaty.

Dunlop-Healy characterize the final stage of collective bargaining in the following manner:

At this stage, the settlement will have normally been reduced to writing in the form of a 'memorandum of agreement' The final stage in the making of an agreement is to reduce the memorandum agreement to contract language and to incorporate the language in a full agreement.⁶⁹

In this stage, the parties continue to attempt to influence each other's evaluations of the consequences of proposed solutions. As reflected in the previous analysis, these evaluations are not restricted to the final stage. They also occur in connection with the partial decisions (such as the establishment of the negotiation range and the contract zone) which precede the evaluation of the solution of the primary problem confronting the parties.

In the final stage of negotiation, explicit obstacles to agreement may often arise. For example, a paragraph may be missing in an extant draft treaty.

⁶⁷ Stevens, 1963 : 97.

⁶⁸ Douglas, 1957 : 80. Douglas calls the final stage "precipitating the decision-making crisis."

⁶⁹ Dunlop-Healy, 1953 : 63 f. The authors divide the negotiation process into six stages. The citation above describes the fifth and sixth stages.

The existence of a draft treaty also constitutes an explicit definition of a proposed contract zone. This means that the parties are better able to foresee the probable outcome of the negotiation, even if a number of alternative outcomes are still conceivable.⁷⁰ The parties' ability to foresee the content of a final agreement can be expected to increase in this situation, a circumstance which makes it easier to evaluate the consequences of rejecting such an agreement.

The degree of uncertainty in making decisions often seems to diminish as the negotiation moves into the final stage. This uncertainty is often reduced because ambiguous standpoints are replaced by specific initiatives.⁷¹

The possibility of utilizing experience from earlier stages of the negotiation further reinforces the parties' decisional premises.

The negotiation range as well as the contract zone seem to be characterized by a significant degree of stability in the final stage. The parties begin to assume themselves all the more strongly to their positions which can now be expected to become markedly inflexible. As the contract zone is crystallized, the possibilities for compromise become clearer. At the same time, however, the increased inflexibility in the other parties' positions also seems to reduce the mediator's freedom of action.

3.5.2. Characteristic II: The strategic behavior of the parties

In order to reach an agreement through the mutual adjustment of their position, the parties must employ various cooperative strategies to a greater extent than in the intermediate stage of negotiation where the parties' efforts were directed toward winning out each other's propensity to make concessions. This concentration on reaching agreement has sometimes been assumed to mean that conflict and competitive strategies are abandoned in favor of cooperative strategies.

In the predeadline stage, tactics of cooperation-tactical problems associated with mutual convergence upon an agreed position-will be relatively more prominent.⁷²

Search activities even occur in the final stage of negotiation in connection with the parties' attempts to investigate each other's attitude towards the various alternative solutions for the remaining problems which block agreement. In comparison with the initial stage, search strategies seem to be employed to a significantly lesser extent. A party who, in the final stage of negotiation, declares himself to commence search activities, introduces new information, or advances new and comprehensive demands which touch

⁷⁰ Sieven, 1967: 276.

⁷¹ Dunlop-Healy, 1953: 61 f. On "sign language" cf. Peters, 1955: 148 ff.

⁷² Sieven, 1963: 11.

upon areas outside the contract zone, is probably rather uninterested in reaching an agreement.

Commitments often occur in the final stage of negotiation and are an expression of the increased specificity in the parties' positions. These commitments may, for example, be promises of support for the draft treaty under discussion, but they can also be a description of a party's "final offer."⁷³ A commitment of this type can either be interpreted as an indication of a party's disinclination to accept the agreement in its present form or as an expression of the party's minimum demands.

The persuasive strategies which may possibly be employed in the final stage of negotiation seem to consist primarily of argumentation designed to bring about marginal adjustments in the final result. The debate often deals with the acceptability of the drafts which serve as the basis of the negotiation. But in addition, it often includes demands that the negotiations be broadened to encompass questions which are in some way related to the issues already under discussion. In order to persuade other parties to accept a proposed agreement, it may be necessary to compensate them with promises to resume the negotiations after the termination of the present talks or to broaden the present talks to include related issues. This means that the boundaries of the negotiation range are broken down to a certain extent during the final stage.

In the final stage, the parties defend their own positions by citing principles based on their strategic evaluations. Thus, evaluations which have taken on the character of precedents can be employed to a greater extent than earlier since the parties can now capitalize on experience gained from the use of a certain strategy in a previous stage of negotiation.

Mediation efforts are characterized by attempts to replace the parties' provisional commitments with unconditional, formal commitments. Alternately, the mediator may attempt to revise commitments which do not coincide with his interpretation of an acceptable agreement. The concrete expression of these attempts can be comprehensive mediation proposals in the form of drafts.

3.5.3. ENDC and the final stage of the negotiation process — the NPT case

In August of 1967, identical Soviet and American proposals for a non-proliferation treaty were submitted to ENDC, a move which in retrospect can be seen as a successful attempt to establish a contract zone.⁷⁴ That is, the primary parties (the United States and the Soviet Union) were in principle agreement

⁷³ Douglas, 1957: 80. Douglas argues that "final offers occurring in this stage are not to be interpreted as "... an invitation for another counterproposal."

⁷⁴ ENDC/192 and 193.

over the essential features of the subsequent negotiations and the fundamental substance of a proposed settlement as outlined in their joint draft treaty. The following is a review of Sweden's behavior in this situation.

It ought to be recalled that Sweden had accepted the substantive goal of preventing the proliferation of nuclear weapons at a much earlier point in the negotiations. On the other hand, Sweden was not in agreement with the primary parties on how that goal should be reached. Sweden maintained that a settlement of the proliferation issue ought to be combined with other agreements which, taken together, would constitute a package solution. In reality, this attitude indicated that Sweden considered agreement upon a non-proliferation treaty to be an all too narrow negotiation goal.

After the joint non-proliferation draft treaty was submitted, Sweden again emphasized that the resolution of the proliferation issue ought to be seen in a wider perspective as only one aspect of a series of various collateral measures.

The non-proliferation treaty has to be seen as a part, and only a part, of an integrated whole of partial disarmament measures in the field of nuclear arms.⁷⁵

The 1968 disarmament negotiations were dominated by attempts to agree on a non-proliferation treaty. In January of 1968, the Soviet Union and the United States stabilized the contract zone by submitting analogously worded draft revisions for a non-proliferation treaty.⁷⁶

The Swedish delegation welcomed the revised Soviet-American draft treaty and declared that it understood the superpowers' desire to limit the number and extent of eventual adjustments in the text of the treaty, an admission which can be interpreted as a tacit Swedish acceptance of the primary parties' views on the extent of the contract zone.

Under these circumstances it must be considered imperative that proposals for formal changes in it [the draft proposal] which other delegations may feel compelled to put forward be few and well coordinated with the rest of the treaty text.⁷⁷

At the same time, the Swedish delegation indicated that it intended to submit proposals which would be acceptable to the recipients under the present circumstances.⁷⁸ As indicated in the previous analysis, the contract zone can be defined as the parties' estimate of the number of acceptable negotiation outcomes. The following statement is a revealing illustration of the Swedish attitude at this stage in the negotiations:

⁷⁵ ENDC/PV. 327: 9.

⁷⁶ ENDC/192: Rev. 1; and ENDC/193: Rev. 1.

⁷⁷ ENDC/PV. 363: 4.

⁷⁸ The Swedish proposals touched on two amendments to Article VI: "...both being of such a nature that they are not expected to create any difficulties in regard to the substance."

... we are [mindful] of the need for self-discipline on the part of delegations and of the waste of time entailed in suggesting changes which we understood *are doomed to be unacceptable* [author's italics]...⁷⁹

This admission seemed to indicate that Sweden had abandoned any hopes for the creation of package solutions which would have resulted in parallel treaties including, among other things, a comprehensive nuclear test ban treaty. Sweden still maintained, however, that partial problems within the contract zone were negotiable and could be revised or resolved in ways other than those proposed by the primary parties.

Another important consideration influencing the character of our statements in this committee is the knowledge that we are still at a stage where we are negotiating on the best possible formulation of a treaty draft. The final position of our Governments with regard to the treaty as such belongs to a later stage.⁸⁰

In addition, the Swedish delegation referred to statements made by the American delegation in which the Soviet-American draft treaties (the original as well as the revised drafts) were interpreted as negotiable proposals and therefore were not to be seen as a final offer.⁸¹

Sweden concentrated on attempts to incorporate guarantees into the non-proliferation treaty which would insure that a particular set of substantive issues would be dealt with in the disarmament negotiations which were expected to continue subsequent to the completion of the NPT talks. Sweden thereby initiated a discussion concerning the negotiation range for future talks and demanded that the superpowers' commitments regarding these subsequent negotiations be specified in the introductory section of the treaty through "... some strengthening of the preamble."⁸² In particular, Sweden hoped that the superpowers would specifically state in a segment of the text that future negotiations would in fact deal with the question of a comprehensive test ban.

Similar demands for a prioritization of the comprehensive test ban issue were occasionally re-emphasized in the course of the negotiations: "Without doubt the test ban is the next one on the United Nations priority list."⁸³

In the final stage of the NPT negotiations, Sweden was compelled to abandon her original demands for simultaneous resolution of different collateral issues. At this point, Sweden began to advocate the adoption of treaty guarantees which would insure that future talks resumed after the completion of the ENDC negotiation round would prioritize the issue of a comprehensive test ban treaty or a halt in the superpowers' production of fissionable material for

⁷⁹ ENDC/PV. 363: 5 and 6.

⁸⁰ ENDC/PV. 363: 4.

⁸¹ ENDC/PV. 357: 43.

⁸² ENDC/PV. 363: 7.

⁸³ ENDC/PV. 364: 11; and ENDC/PV. 373. The Swedish proposals were specified in treaty text in memoranda ENDC/215 and ENDC/216.

weapon use. The Swedish view was that provisions of this type would influence the propensity of potential signatories to accept a treaty including such guarantees. Sweden wished to test the primary parties' willingness to strive for more comprehensive results.

That willingness ought in fact to be demonstrated immediately so that hesitating countries should not delay their acceptance of the non-proliferation treaty until a time when they have encountered more encouraging evidence of a brightening future than at present.⁸⁴

As previously indicated, the final stage is normally characterized by the parties' attempts to consolidate their positions, a circumstance which increases the clarity of the negotiatory situation. The parties' interest centers around the content of the contract zone as outlined, for example, in the extant drafts. This was indeed the case with the ENDC negotiations.

All delegations are now beginning to have a rather clear picture of the positions of other delegations in regard to the draft texts . . . as we are now entering the last phase. . . .⁸⁵

It should be emphasized that the positions and standpoints taken by the parties in ENDC would be subjected to further testing and revision in connection with the final treatment of the NPT issue by the United Nations.

However, as several delegations have indicated before me, our final attitude to the text can, of course, only be crystallized during the forthcoming deliberations in the United Nations.⁸⁶

The treatment of the results of the ENDC negotiations by the United Nations will not be dealt with to any appreciable degree in this analysis. But the parties' awareness that the group of interested parties would be broadened in the United Nations is a circumstance which helps explain why certain ENDC initiatives were characterized by demands for measures which would be generally acceptable to a wide variety of interests. Presumably, the participants seem to have counted on increased opportunities for applying pressure techniques in the United Nations.

3.6. The Parties' Attempts to Influence the Development of the Negotiation Process

3.6.1. Attempts to accelerate the negotiation process

The parties are potentially able to speed up or force the negotiation process by working toward strategic goals or employing strategies which are "normally"

⁸⁴ ENDC/PV. 364: 11.

⁸⁵ ENDC/PV. 373: 4.

⁸⁶ ENDC/PV. 373: 4.

utilized in stages of negotiation other than those in which the parties find themselves at the moment.

Mediation can be a very efficient mechanism for accelerating a bargaining process because it imposes no additional losses upon the parties, nor does it require the mediator to be a 'powerful individual.'⁸⁷

This presupposes that the parties believe in the previously mentioned assumptions that certain strategic goals and certain strategies characterize different stages of the negotiation and that the main strategic goal associated with each stage must be reached before an agreement can be achieved. One example of measures which may be employed to accelerate the negotiation process would be a party's attempts to create the preconditions for a transition from one stage to another through the submission of explicit proposals in the initial stage of negotiation before the other parties had formulated their standpoints. The intent behind such a maneuver can be to stake out the boundaries of a contract zone in the initial stage of negotiation, a strategy which is usually employed in the intermediate stage.

3.6.2. Attempts to preserve the negotiation process

In the sense used here, attempts to preserve the negotiation process refer to the parties' long or short-range efforts to arrest the development of the negotiation process by working toward strategic goals and employing strategies which prevent a transition from one stage of the talks to another. One example of this type of preservative measure would be a party's efforts to check or conserve the development of the negotiations by attempting to reduce the flexibility in other parties' standpoints and to alter a marked "give-and-take" mentality among other parties which might characterize an intensive period of negotiation. For example, the party wishing to preserve the negotiations may employ strategies designed to block the acceptance of certain solutions under discussion. The party may, for instance, avoid contributing to the establishment of the negotiation range by refusing to reveal his substantive goal, and this, in turn, may impede a joint synchronization of goals.

It should be noted, however, that even other types of effective obstructive techniques can be employed. For example, a party may be able to neutralize "productive" negotiatory situations by advancing demands which lie outside the negotiation range. This type of maneuver may provide the mediator with an interesting alternative course of action. For example, the mediator may attempt to immobilize the negotiations in a particular stage of development

⁸⁷ Cross, 1969 : 197. Cross's claim that mediation never contributes to "additional losses" is not entirely accurate; for the mediator certainly attempts to influence the parties' propensity to make concessions by proposing compromise solutions. If the mediator succeeds in his efforts, then the recipients may be said to have suffered certain losses in terms of "maximum negotiation outcomes."

in order to guarantee a sufficient number of concessions to insure the achievement of a compromise solution.

3.6.3. Attempts to reverse the negotiation process

Attempts to reverse the negotiation process refer to the parties' efforts to bring about a situation in which the negotiations revert to an earlier stage.⁸⁸ A party with mediation ambitions may effect such a regression by employing strategies in one stage of negotiation which are essentially suited for use in other stages. It is thus possible that attempts to present new information in a late stage of negotiation may have regressive effects. The complications involved in assigning a particular type of strategic behavior to a particular stage of negotiation should, however, once again be emphasized. The ambiguous connection between stage and strategy may nevertheless prove strategically advantageous to a mediator who perhaps does not wish to openly admit that he desires a temporary reversion to an earlier stage of negotiation (in order to affect, for example, a revision of the boundaries of the negotiation range). It should also be emphasized in this context that even if the mediator does not wish to reverse the negotiation process, the use of certain types of strategies may unintentionally encourage a positive attitude towards such a reversion among the parties.

If the negotiation range has been established in the face of more or less expressed opposition from one or several parties, it seems probable that repeated attempts will be subsequently made to reverse the negotiations, for example, through efforts to broaden the negotiation range in later stages of negotiation.

Parties who consider the negotiation range to be unacceptable may often continue to negotiate in the hope that subsequently, the boundaries of the range may be marginally adjusted. That is, these parties may see the negotiation range as a provisional working arrangement preferable to the breakdown of negotiations.

The preceding discussion can be specifically applied to the ENDC negotiations in light of the following questions:

1. Did the Swedish delegation attempt to accelerate, conserve, or reverse the negotiation process?
2. Which strategies have been employed to accelerate, conserve, or reverse the process? Have such attempts been used as viable components of the mediator's strategic arsenal?
3. How have these various attempts been affected by the circumstance that

⁸⁸ Dunlop-Healy, 1953: 61: "These steps and stages overlap, and the actual course of negotiations may backtrack to an earlier phase. Not all negotiations follow any one pattern."

the negotiations under analysis have been protracted and that the prognoses in the initial stage probably pointed towards extended negotiations? Did the parties consider it worthwhile to attempt to alter the negotiation range in later stages of the negotiations? Altered preconditions, for example, technical innovations which provide the possibility of reaching more comprehensive goals, may perhaps be cited as justification for attempts to accelerate, preserve, or reverse the negotiation process.

How are these various attempts influenced by the number of participants in the negotiation? In a negotiation with seventeen participants, is it reasonable to assume, for example, that attempts to reverse the negotiation process always occur? How are such attempts influenced by the level of publicity?

A review of the ENDC material indicates that the preceding questions are quite relevant to an analysis of strategic behavior. For example, Sweden attempted to preserve the negotiations on certain occasions. As previously noted, informal consultations between the superpowers occurred within the framework of the co-chairmen system. In addition, consultations between the Soviet Union and the United States took place outside the conference, a circumstance which was criticized by the Swedish delegation. This critique must be given consideration in any effort to determine whether or not Sweden did in fact attempt to preserve the negotiations.

We are here joined in a collective responsibility to find a constructive outline for a treaty which might be acceptable to all states. But now the non-aligned Members of this Committee run the extra risk that because they can only submit their amendments—which are of course legitimate—at a relatively advanced stage they *might then be accused of delaying the negotiations* [author's italics].⁸⁹

In the final stage of the NPT negotiations, the Swedish delegation proposed certain modifications to the revised draft treaty. In connection with these proposals, the risks of delaying the final stage were discussed. Sweden suggested improvements and marginal adjustments within the prevailing contract zone, assuring the conference that certain types of amendments would not entail a delay in reaching a final NPT agreement.

It should be fully understood that the purpose of the Swedish initiative is not to stall our work in this Committee, not to counteract the endeavours to reach a ban on the spread of nuclear weapons, which we find desirable per se, but, on the one hand, as I have said, to assist in improving the present treaty text as much as possible, and on the other hand to work relentlessly for those further agreements which would ensure nuclear disarmament.⁹⁰

Sweden was thus apparently unwilling to appear as the party responsible for a delay in the negotiations.

⁸⁹ ENDC/PV. 300 : 5.

⁹⁰ ENDC/PV. 363 : 6.

Chapter 4

Mediation and Different Types of Negotiatory Situations

4.1. Introduction

A number of different types of situations relevant in a negotiatory and mediation context will be reviewed in this chapter. The purpose of this review is to illustrate a significant factor in the parties' individual decision-making process, namely, each party's definition of the situation.¹ The discussion is based on the assumption that the majority of negotiatory initiatives are prefaced by a party's subjective definition of the situation, that is, his perception of the various characteristics of the negotiatory situation, his interpretation of these characteristics, and his evaluation of these characteristics based on that interpretation. Such definitions are not only formulated in the initial stage of the negotiation but also take place on a continual basis and seem to be constantly revised and modified throughout the course of the negotiations, that is, as the negotiatory milieu changes and the negotiation process moves from one stage to another.

The following differentiation of the concept "negotiatory situation" seems appropriate in the context of this discussion:

1. *The objective definition of the negotiatory situation* refers to a completely unbiased description of reality which many times can only be reconstructed *ex post facto*. This type of objective description presupposes access to more comprehensive material than the decision-maker normally has at his disposal in a decision-making situation. The difficulty in keeping informed about the intentions of other parties is apparent in diplomatic negotiatory situations.²

¹ Pruitt, 1965 : 394 : "By this is meant a set of images possessed by an individual representing his view of what other nations are like, what relevance they have to the goals of his own nation, and what behavior toward them would be appropriate for his own nation." Frankel, 1963 : 183; and Snyder-Bruck-Sapin, 1962 : 80 ff.

² Snyder-Bruck-Sapin, 1962 : 80 f. Holsti, 1967 : 158 f. Holsti interprets "image" as the actor's perceptions, evaluations, and the meaning of object, fact, or conditions.

- 2a. *The official version of the subjective definition of the negotiatory situation* refers to the party's openly declared perception, interpretation, and evaluation of a particular negotiatory situation. This definition should be seen as a conscious selection of
- 2b. *the unofficial version of the subjective definition of the negotiatory situation* which refers to the party's internal perception, interpretation, and evaluation of a particular situation. This definition can be expected to be more comprehensive than the official version.³

Elements of the official subjective definition of the situation are to be found in the empirical material and the subsequent analysis will therefore focus on item 2a.

A party's subjective definition of the situation is normally made after the party has perceived a stable feature or an especially marked characteristic of a particular situation. Official situational descriptions may indicate that a party's perception of the situation has had an impact on his choice of strategy, particularly if such statements are followed by a specific type of strategic behavior. Official situational descriptions may, however, also be employed by a party who wishes to justify a particular action by revealing the decisional premises on which his action was based. It is also possible that by strongly emphasizing a particular situational characteristic while perhaps attempting to conceal others, a party may utilize such situational definitions in an effort to influence other parties' perceptions, interpretations, and evaluations of the negotiatory situation.

The following situational analysis is based on two criteria or characteristics which seem central to a situational description in a negotiatory context.

1. The first characteristic is the party's perception, interpretation, and evaluation of the development of the negotiations which can be seen as the party's definition of the situation, a definition affected by the party's original expectations and the estimated distance to agreement. This situational definition can be conceptualized in terms of "the degree of progress."
2. The second characteristic is the party's perception, interpretation, and evaluation of the degree of uncertainty.

The degree of progress is relevant to a situational analysis in light of the thesis that the mediator's efforts are guided by actual negotiatory results which provide the observer with an indication that decisive strategic gains have been made in conjunction with the transition of the negotiations from one stage to another. These transitions between negotiation stages mark

³ Thomas-Znaniński, 1958 : 68.

strategic advances. The connection with the stage analysis in the preceding chapter is therefore apparent. When the negotiation process is progressing swiftly and the distance to agreement is rapidly diminishing, it is more difficult and less justifiable to play the role of a mediator even if the party with mediation ambitions is not satisfied with the particular joint substantive goals of the negotiations. Negotiatory situations marked by insufficient or non-existent progress are of greater salience to a mediator, who is interested in preventing the occurrence of this type of situation and in altering such situations if they have already occurred. It can be assumed that a fair degree of recurring progress is necessary if the parties are to consider continued negotiations worthwhile. Lack of progress seems to mean that after a time, the parties define the situation as one of non-agreement and, in extreme cases, as a stalemate situation. After a period of non-agreement, the parties may feel that the negotiations have been almost completely unproductive.

An analysis of uncertainty is salient to a situational study in light of the assumption that the party's choice of strategy is influenced by his knowledge or lack of knowledge regarding other participants' goal expectations, evaluations, etc.⁴ The significance of uncertainty has been widely discussed in the literature on decision-making and negotiation theory.⁵

The marked feature of secrecy associated with the conduct of foreign policy underlines the significance of an analysis of the role of uncertainty in international negotiations, a circumstance which has been noted, for example, in connection with studies of the arms race.⁶

The following typology is not intended to be comprehensive but is based on predominant characteristics which seem relevant in terms of negotiation theory as well as particularly interesting from a mediation perspective. Situational types will be classified according to dominant factors or characteristics. This classification scheme may be said to have a flexible structure since the same concrete situation can be theoretically classified under different situational types depending upon which particular aspect of the situation the investigator chooses to emphasize.

The situational types introduced in this chapter describe extreme negotiatory situations which may seem unrealistic in the sense that these "pure" variants are difficult to find in "reality." In order to make the individual analytical units more realistic, these situational types, to the degree that they

⁴ Coddington, 1968: 13, 40, 44; White, 1969: 14 ff., 82; Gustafsson, 1970: 62 ff.; and Gustafsson, 1971: 43 ff.

⁵ Luce-Raiffa, 1957: 13; and Taylor, 1965: 50. On "bargaining situations and decisions under uncertainty," see Kaplan, 1968: 499. Also see Näslund, 1967: 6 f.; and Magnusson, 1969: 24.

⁶ Richardsson, 1960 and McGuire, 1965: 17, 23, 110. On "peaceful settlements and the dysfunction of secrecy," see Coser, 1963: 246, 251.

can be associated with the parties' subjective evaluation of the negotiatory situation, will be complemented with an analysis of other types of characteristics which the parties may possibly cite as significant.

The difference between the objective situational definition and the unofficial comprehensive subjective definition is synonymous with the degree of uncertainty in a party's definition of the situation. Situational uncertainty can decisively influence the parties' use of strategy and has a significant impact on their chances of reaching substantive goals.

The difference between the objective and subjective definitions of the situation seems to vary for different participants. This circumstance is both problematic and challenging for a mediator in a multilateral negotiation — problematic because it is difficult for the mediator to persuade the parties with diverging situational definitions to accept a particular measure, and challenging because the mediator may see it as his task to attempt to synchronize these diverging situational definitions.

The discrepancy between the official and unofficial subjective definitions provides a party with strategic maneuvering room. It may be in the interest of the mediator to attempt to reduce this discrepancy, but this is not always the case. As long as he is not unreservedly convinced that complete compatibility between the official and unofficial situational definitions would, in the long run, reinforce the parties' credibility and thereby increase the chances of reaching agreements, such efforts will not prove useful to the mediator if they can be expected to widen the gap between the parties' standpoints.

The parties' ability to identify components of the objective situation varies according to negotiation stage and milieu type. Consequently, the task of defining the situation becomes more complicated in a negotiation with a large number of participants. In the final stage of a protracted negotiation, the parties' accumulated experience may reduce their degree of uncertainty. But at the same time, the increased amount of information may create perceptual problems since the difficulties involved in attempting to survey all the available alternative courses of action and in making reliable evaluations of the consequences of these alternatives may also increase in this situation.

4.2. The Degree of Progress as a Characteristic of the Situation

The degree of progress as a characteristic of the situation refers to the party's subjective estimate of the negotiatory results which have been achieved and alternately, the results which can be expected to be attained in the near future. It seems reasonable to assume that such "elements of progress" (which are either established results or part of an optimistic prognosis) influence a party's behavior.

4.2.1. The stalemate situation as an extreme type of non-agreement situation

In the subsequent analysis, the concept *stalemate* will be used to signify an extremely unfruitful non-agreement situation characterized by an inordinately low degree of progress. The stalemate situation is interesting because the elements of conflict often outweigh the elements of cooperation which, in turn, means that the negotiations tend to take on the characteristics of a crisis. However, a state of non-agreement need not entail disagreement even if this usually is the case. Non-agreement situations may depend upon a temporary passivity among the participants which is not related to mutual conflicts.

Participants seeking agreement experience a stalemate as a situation involving stress.⁷ The level of stress seems, however, to be relatively low in a protracted negotiation and/or in negotiations which deal with questions involving gradual effects (disarmament negotiations, for example). Nevertheless, the time factor is important even in this type of negotiation. For instance, as the negotiations approach a settlement, the parties interested in a treaty may become stressed if they fear that the preconditions for agreement may be altered before the actual settlement is reached. This circumstance might arise, for example, if the resources of any of the participants were changed, e.g., if the participants with the potential to manufacture nuclear weapons were approaching productive capability.

Moreover, the stalemate situation is interesting because it embodies a situation in which the parties are in agreement on the strategic goal, namely, to arrest the development of the negotiation process so that the negotiations do not undergo a transition from one stage to another. For these reasons the stalemate situation should be seen as the result of the parties' efforts to preserve the negotiation process. Sometimes, even the means by which the parties attempt to reach this joint strategic goal coincide. For example, the parties may be equally unwilling to discuss concessions. On the other hand, a stalemate situation indicates that the parties are in disagreement over substantive goals.

It is conceivable that a participant may see a temporary stalemate as a desirable situation providing him with an opportunity to test the other participants' interest in agreement. In this case, stalemate is partly the result of a voluntary strategic choice in which such a condition is considered to be a temporary strategic goal. The party's real long-range interest can still be

⁷ On the "stalemated case," see Douglas, 1962: 3. Kaplan, 1968: 504. Phipps, Jr., 1963: 217: "The conditions in which neither of two opponents wins (or, to define it more operationally, in which both claim victory) is known as 'stalemate'." A synonym for the concept stalemate is "deadlock." Cf. Dahl, 1963: 73f.: "Deadlock exists so long as each [actor] continues to block the other and neither changes his behavior. Deadlock means 'no deal.' Deadlock is likely to occur whenever individuals disagree and the outcome of the deadlock (other than the status quo) seems tolerable," Miller, 1965: 214.

agreement, but he may feel that a settlement can be reached most easily through the use of strategies which other parties perceive as measures promoting stalemate or, if deadlock has already occurred, measures which seem to reinforce the stalemate. It can be a question of an attempt to transfer the initiative to another participant or group of participants in order to alter the allocation of responsibility for the continued development of the negotiations. The mediator's behavior in such a situation is interesting because he possesses the means of influencing the negotiation process through a clarification of the distribution of responsibility, that is, through an exposition of the causes of the stalemate which the mediator feels can be attributed to a particular party. If the parties define the negotiatory situation in different ways, the mediator may attempt to interpret the situation officially in order to establish a joint situational definition capable of serving as a prerequisite for joint decisions promoting agreement.

Two particular circumstances characterize the stalemate situation — the negotiation process is disrupted, and the parties are pessimistic as to their ability to predict the possibilities of achieving strategic and substantive goals. In light of the conditions demanded by certain parties, other parties are uninterested in reaching joint decisions dealing with either solutions to partial problems or a final agreement.

The participants' evaluation of the severity of the stalemate depends, among other things, upon the length of the stalemate, that is, their estimate of the distance between the current situation and the last period of negotiatory progress. The evaluation of the stalemate seems to vary according to negotiation stage. It is conceivable that periods of standstill are seen as less of a threat to agreement in the intermediate stage where "stalemate behavior" may be interpreted as a manifestation of the parties' attempts to test each other's tenacity, positional continuity, and propensity to make concessions. A protracted stalemate in the final stage of negotiation can, on the other hand, be interpreted as an indication of lack of desire to reach an agreement.

As previously mentioned, the development of the negotiation process entails a restriction of the parties' freedom of action, a circumstance which simplifies the task of defining the situation.

The perceived causes of the stalemate, that is, the results of the parties' attempts to identify obstacles to agreement, also have an impact on the parties' evaluation of the stalemate situation. Is the stalemate caused by disagreement within a delimited technical problem area, or is the stalemate a result of fundamental political and ideological divisions which prevent the establishment of a negotiation range and a contract zone?

After a period of fruitless negotiation, the parties are likely to define the situation as a stalemate. The length of these unproductive periods precipitating the parties' decision to define the situation as a stalemate may vary according to the extent of previous negotiatory progress.

However, stalemate does not necessarily mean that the parties have not experienced any negotiatory progress. If the parties' prognoses point to protracted negotiations, a longer period of fruitless talks can be tolerated before the situation is defined as a stalemate. In terms of reaching agreement, this reaction is valuable, for example, in the initial stage of an extended negotiation when it may be difficult to interpret accurately the parties' propensity to make concessions due to lack of experience, and when demands for comprehensive results might precipitate a breakdown in the negotiations.

The parties' definition of the situation is influenced by the conditionality of the positions held by other participants, for example, the conditionality of their commitments. A significant aspect of the stalemate situation often seems to be the occurrence of unconditional commitments, a circumstance which may be seen as a manifestation of the parties' disinclination to make concessions. In general, no observable propensity to make concessions can be detected in a stalemate situation. The parties may also become convinced that the situation is stalemated by their estimate of the number of probable alternative outcomes, an appraisal which should be seen in relation to the parties' original expectations. The stalemate situation is not always characterized by passivity but can also display a remarkably high degree of activity. It is difficult, however, to discern any interest in making concessions or adjusting standpoints.

The stalemate can be total or partial. In a multilateral negotiation, it can be limited to the positions held by only a few parties while the remaining parties attempt to influence the negotiation process in a constructive direction, that is, in the direction of agreement. However, third parties seem to interpret a stalemate between the primary parties as a decisive obstacle to agreement. In a multilateral negotiation attended by parties with mediation ambitions, the risk for a total stalemate may be limited by the implementation or intensification of mediation efforts. The mediator may introduce new information which broadens the area of compromise or undermines the rationale for unconditional commitments which have contributed to the stalemate situation.

In the context of this analysis, *status quo* will be defined as an unchanged state of affairs. *Status quo* differs from stalemate in the sense that the former term should be interpreted as describing a condition in which the party cannot perceive any positive development of the negotiation process, but where predictions of the future are not exclusively pessimistic, and the party does not exclude the possibility that the negotiations may eventually result in agreement. *Status quo* may even be an acceptable goal and therefore a desirable state of affairs. This is the case when a party wishes a prolongation of a pre-existing treaty.⁸

⁸ Iklé-Leites, 1962:25, Iklé, 1964: 27 f., 168. Iklé defines *status quo* in the following way: "A frequently used break-even point is the status-quo. That is, any arrangement which does not change the existing situation will be evaluated as resulting in neither a gain nor a loss." Stevens, 1963: 51; Schelling, 1963: 33; and Kaplan, 1968: 504.

4.2.2. The agreement situation

Negotiatory situations which the parties perceive to be characterized by significant progress should also be analyzed even if these situations are not as interesting from the mediator's perspective. The party's situational definition seems to be similar in three different cases:

1. The agreement situation refers to the segment of negotiations immediately associated with the achievement of an agreement concerning either partial or final solutions of collateral issues. In this context, partial agreements can be interpreted to mean joint decisions concerning the establishment of a negotiation range or a contract zone.
2. The pre-agreement situation refers to the period of time during which a party anticipates that an agreement will be achieved in the near future. The subjective definition of the pre-agreement situation is synonymous with the parties' interpretation of a positive prognosis, that is, a prognosis indicating agreement. In the pre-agreement situation, the party's situational definition is dominated by the belief that a solution is imminent.
3. The post-agreement situation refers to the period following the achievement of positive results or agreement. At this point, the party has gained more experience concerning the utility and efficiency of various strategies. The parties are now less uncertain as to which strategies are adequate in a particular situation than they were earlier in the negotiation. Furthermore, internal opinion groups can now be expected to provide increased support to the party since he can now point to negotiatory results.

Agreement, pre-agreement, and post-agreement situations seem to have similar effects on the parties. The common denominator is the parties' perception of negotiatory progress which creates an optimistic attitude and activates the parties. They are motivated to continue their efforts to reach as yet unfulfilled goals.

Between the extreme situations of stalemate and agreement exist various degrees of negotiatory progress. Situations displaying certain tendencies towards stalemate on the one hand or compromise over a particular partial question on the other represent variants of negotiatory progress. The absolutely pure examples of stalemate and agreement, as previously mentioned, seem to be relatively rare in a multilateral negotiation. In spite of this circumstance, a mediator may perhaps define a situation as a stalemate if, for example, the positions held by the principal opponents seem to be inflexible. In this analysis, such a situation should be interpreted as a partial stalemate.

4.3. The Degree of Uncertainty as a Characteristic of the Situation⁹

The area between the objective and the unofficial subjective definition of the situation corresponds to the party's "real" area of uncertainty. This area of uncertainty illustrates different facets of the problem of rationality, that is, the difficulties involved in surveying, interpreting and drawing correct conclusions from pre-existing objective conditions. The individual party experiences the greatest sense of uncertainty in the frontier lying between the objective and subjective unofficial definition of the situation.

Furthermore, the parties may realize, on the basis of past experience, that their subjective situational definition of the characteristics of the negotiation milieu is incomplete. For example, they may recognize that they are not fully aware of all the informal negotiations which have taken place and the ways in which these informal sessions have limited the flow of information. Consequently, the type of uncertainty associated with an interpretation of existing information should be distinguished from the kind of uncertainty which refers to information which has not yet been received.

The analysis of uncertainty should be further differentiated on the basis of strategic considerations. In the subsequent analysis, the degree of uncertainty will also be related to the previous discussion of negotiation types, negotiation milieux, and stages of the negotiation process. In addition, the relationship between two situational characteristics, the degree of progress and the degree of uncertainty, will be investigated. The following types of uncertainty seem to be particularly relevant to a situational analysis. The typology is based on the party's subjective definition of different forms of situational uncertainty.¹⁰

The party's uncertainty about other parties refers to the party's more or less incomplete knowledge of other parties' goals, means, resources, and standpoints. It also refers to his knowledge of other parties' perception, interpretation, and evaluation of the negotiatory situation including their appraisal of the characteristics of the current negotiation milieu, existing obstacles to agreement, the degree of uncertainty, and the degree of progress.¹¹

⁹ Concerning the concept "a high degree of uncertainty," see Baldwin, 1971: 76.

¹⁰ Johansson-Sundin, 1967: 52 ff. The authors describe different types of uncertainty. Gustafsson, 1971: 46. Gustafsson distinguishes three different types of uncertainty, namely, counterpart uncertainty, preference uncertainty, and environmental uncertainty. Midgaard, 1965: 19. The author discusses the players' "knowledge situation" in a game-theoretical context.

¹¹ Snyder-Sapin-Bruck, 1962: 64 f.: "The situation is defined by the actor (or actors) in terms of the way the actor relates himself to other actors, to possible goals, and to possible means, and in terms of the way means and ends are formed into strategies"

A low degree of uncertainty in one of these areas does not necessarily indicate a correspondingly low level of uncertainty in other areas. For example, even if the party is aware of another party's official standpoints, he may be quite uncertain as to the credibility of these standpoints.

One important factor is the individual participant's knowledge of the other participants' propensity to undertake cooperative efforts or to form coalitions, an aspect of the participants' behavior associated with a characteristic of the negotiation milieu quite relevant to the problem of uncertainty, namely, the number of parties involved in the negotiations. In a multilateral negotiation, for example, the party's evaluation of the acceptability of various proposals is complicated by the circumstance that several parties are affected by these proposals. Uncertainty about the recipients' propensity to make concessions may cause the parties to formulate their proposals rather ambiguously, a technique which may only increase the atmosphere of uncertainty surrounding the negotiations.

Similarly, the party's evaluation of the level of publicity is of interest. To what extent does the party acquire information from possible future informal consultations between other participants? Since the parties involved in a multilateral negotiation do not possess the same or equally useful information, their situational definitions may vary.¹² The uncertainty associated with the estimation of other parties' propensities to make concessions is particularly interesting. If the parties' standpoints and commitments are explicit, uncertainty centers around problems of interpretation.

Also relevant is the party's uncertainty about other parties' strategic evaluations and use of strategy in different types of situations, for example, how these parties can be expected to react to a particular initiative. The uncertainty characterizing other parties' general attitude towards risk-taking in situations involving a high degree of uncertainty is highly pertinent in this context. The parties' attitude towards risk-taking seems to vary to a significant extent depending, for example, upon either the internal support given to a party in a concrete negotiation issue or on the possibilities of subsequently correcting imprudent decisions.¹³

¹² Cf. the previous discussion of the co-chairmen arrangement employed in ENDC. In the actual negotiations, these arrangements worked to the advantage of the primary parties in terms of information. For through the co-chairmen system, the primary parties knew more about each other than the other parties knew about the co-chairmen. Because they had superior resources at their disposal, the primary parties may have had a better understanding of, for example, existing technical solutions capable of neutralizing obstacles to agreement. And since they controlled the time point for and the process of establishing the negotiation range and the contract zone, the primary parties may have been able to make more reliable prognoses.

¹³ Dahl, 1963: 96; and Kaplan, 1968: 502 f. Cf. also Heiskanen, 1967: 42: "The willingness to take a risk on a certain level depends on the value assigned to the goal; consequently the decision depends on individual judgement."

Uncertainty may cloud a party's evaluation of past, present, and future choices of strategy, particularly the determination of the consequences of these choices and the evaluation of those consequences.¹⁴

The length of the negotiations has been previously assumed to be of major importance for an understanding of the parties' choice of strategy and their strategic behavior.¹⁵ It is conceivable that certain types of uncertainty are reduced during the course of the talks, particularly if the negotiations become protracted. Knowledge of the other parties' strategic evaluations and negotiatory behavior increases during the course of the talks. Credibility evaluations become more dependable and positional continuity can be evaluated in a more reliable manner. As the negotiations progress, the parties gain a clearer understanding of how comprehensive a solution will have to be in order to insure agreement. The parties have more time for making prognoses, and the material on which those prognoses are based becomes more comprehensive. Such opportunities may increase the parties' ability to make accurate prognoses, and consequently, future uncertainty may be reduced.

The party's uncertainty about the obstacles to agreement refers to the party's knowledge of the obstacles which prevent the parties from arriving at joint decisions. This type of uncertainty is associated with the localization and character of the obstacles to agreement. In this case, uncertainty refers both to the party's inadequate knowledge of the factors which prevent the achievement of agreement and the party's incomplete knowledge of the methods or techniques which might neutralize these obstacles to agreement.

The obstacles to agreement will be divided into two categories. First, these obstacles may consist of areas of disagreement between the participants. In this case, uncertainty is related to the nature and extent of such areas. The party's interpretation of the factors preventing agreement is often based on a selection of these observable areas of disagreement. Not all types of disagreement are necessarily seen as obstacles to agreement, for example, areas of disagreement lying outside the contract zone.

If the parties do not reveal their standpoints and positions in a particular negotiation issue, uncertainty soon arises as to the nature of the factors actually preventing agreement.

In addition to the obstacles to agreement which are a product of disagreements between the participants, other obstacles may be the result of technical problems. In terms of uncertainty, this case is partially a question of the party's knowledge of the nature and extent of the technical difficulties preventing the participants from reaching agreement and partially a question

¹⁴ Snyder, 1961: 28: "His estimate of the opponent's estimate, of the consequences of his response, and secondly in his estimate of the opponent's valuation of the consequences."

¹⁵ Cf. Chapter 2, p. 66 ff.

of his knowledge of the available means of solving these problems.

A party's sense of uncertainty often concerns obstacles to agreement based on both disagreements between the participants and technical problems.

The individual participant may not only be uncertain about the utility and consequences of a particular technical solution. He may also be unsure of his counterparts' evaluation of the same solution in relation to his own evaluation. However, it is obviously conceivable that parties who seek different substantive goals may be in complete agreement on the effectiveness of a particular technical solution.

The party's uncertainty about the negotiation process and the degree of progress is related to the previous categories of different types of uncertainty. The party's perception, interpretation, and evaluation of other parties' goals and standpoints conditions his definition of how much has been achieved in the negotiations, that is, the degree of negotiatory progress.

This type of uncertainty includes, for example:

1. uncertainty regarding the current boundaries of the negotiation range, a type of uncertainty resulting from the party's inadequate knowledge of other parties' substantive goals and the order of their priority;
2. uncertainty regarding the extent of the contract zone, which refers to a situation in which the party has only a vague impression of the other parties' attitudes towards the substance of an impending agreement; and
3. uncertainty concerning the degree of progress which refers, for example, to the party's inadequate knowledge of negotiatory developments in the direction of agreement or stalemate.

The party's uncertainty about the type of negotiation refers to the party's inadequate knowledge of the relevant characteristics of the negotiation milieu surrounding the negotiations at any particular point in their development. Uncertainty as to the significance of the level of publicity, the length of the negotiations, and the number of parties (that is, the party's knowledge of current informal coalition activity) are all examples of this type of uncertainty. The party's knowledge of the negotiation milieu is therefore partially dependent on his information about other parties.

The party's uncertainty about the adequate strategic choice refers to the party's uncertainty as to which types of strategy contribute to the realization of the individual participant's goals and which strategies contribute to the achievement of joint goals, that is, primarily strategies best adapted to the current negotiation range or, in the final stage, best suited to the contract zone. Uncertainty as to the adequate choice of strategy is conditioned by the party's knowledge of the consequences of various strategies. The evaluation of these consequences seems problematic as long as the party's knowledge of the obstacles to agreement is inadequate. The degree of this stra-

tegic uncertainty is regulated by the party's knowledge of available means, resources, and alternative courses of action. Insufficient knowledge about other parties complicates the task of choosing among alternative strategies.

Every strategic choice made under conditions of uncertainty entails a certain amount of risk-taking involving, for example, such matters as the party's negotiation reputation. If a party's choice of strategy is followed by an immediate implementation of the strategy, the negotiatory situation may be altered in the same instant as the strategy is implemented.¹⁶

Consequently, every rational decision-maker must consider the various conceivable kinds of situational changes which might come about in conjunction with a new initiative. The stability of the negotiatory situation is thus partially controlled by the participants.

4.3.1. The degree of uncertainty and the time element

In connection with the analysis of the degree of progress, a differentiation of the pre-agreement, agreement, and post-agreement situations was made which was intended to describe negotiatory situations characterized by a high degree of progress. In a corresponding manner, situational uncertainty can be differentiated on the basis of whether a party's definition of the situation is conditioned by his perception, interpretation, and evaluation of historical, current, or future phenomena.¹⁷

Historical uncertainty refers, for example, to the estimate of the factors which have contributed to partial negotiatory results, an estimate including the evaluation of other parties' contributions. Historical uncertainty is a result of the party's evaluation of his own experience.¹⁸

Current uncertainty refers to the party's inadequate knowledge of contemporary events and prevailing conditions. For example, the party's difficulty in predicting the outcome of a particular initiative is a manifestation of this type of uncertainty.

Future uncertainty refers to the party's uncertainty regarding conceivable and probable future negotiatory results.

Decisions under uncertainty is that in which probabilities of specific outcomes are unknown or perhaps not even meaningful.¹⁹

Future uncertainty is not only associated with outcomes, however. It may even cloud a party's evaluations of other parties' future choice of strategy or

¹⁶ Frankel, 1963: 185: "The definition of the situation is incomplete without an estimate of the changes likely to take place under the impact of the decision contemplated."

¹⁷ Gustafsson, 1971: 47.

¹⁸ Nierenberg, 1968: 27; and Stagner, 1956: 381.

¹⁹ Taylor, 1965: 50.

the development of their resources. It has been argued that in certain situations characterized by uncertainty a party will try to avoid making decisions whose consequences are uncertain. An interesting connection exists between historical and future uncertainty in that uncertainty about past events affects the parties' ability to make prognoses and the substance of these prognoses. Thus, historical uncertainty complicates the task of accurately predicting the course of future events.²⁰

The connection between the degree of progress and the degree of uncertainty should be apparent. The pre-agreement situation is characterized by a low degree of uncertainty. But uncertainty can also becloud interpretations of standpoints and positions not associated with predictions of the probable outcome of the negotiations. In a post-agreement situation, it is illogical to speak of uncertainty as to whether the negotiations have actually yielded a result. On the other hand, the parties may still be uncertain about the factors which contributed to those results. It is, however, probable that during subsequent negotiations, the parties will attempt to utilize their past experience concerning the most effective methods of neutralizing existing obstacles of agreement.

4.3.2. The degree of uncertainty and risk-taking

The following discussion will deal with a number of conceivable effects of different degrees of uncertainty. Particularly interesting in this context is the amount of risk-taking which can be related to the party's sense of situational uncertainty. Such an analysis can be justified, for example, on the grounds that a rational mediator attempts to estimate the degree of risk-taking associated with the use of different measures in uncertain situations and also endeavors to influence the recipients' risk calculus.²¹ Risk has been previously defined as the probability of a negative, that is, undesirable, outcome.²² In addition, the concept *side-effect* is central to the subsequent analysis.²³

In the context of this study, side-effects will be interpreted as the unintended results of a particular measure. Side-effects can be unforeseen as well as foreseen.

a) *Positive side-effects refer to desirable side-effects of a particular measure*

²⁰ Bergström, 1969 : 44.

²¹ Snyder, 1961 : 12. Snyder uses the concept "risk calculus."

²² Cf. Chapter 2, p. 56.

²³ Iklé, 1964 : 43 ff. Iklé discusses effects not concerning agreement which result from a party's conscious efforts to take advantage of his participation in a negotiation by attempting to achieve unofficial goals such as the realization of propaganda effects. On the function of propaganda, cf. Nogee, 1962 : 510.

as seen from the individual party's perspective. If a particular measure leads to a result with which the party had not calculated but which is compatible with his strategic and substantive goals as well as his values, then this result can be characterized as a positive side-effect.

- b) *Negative side-effects refer to undesirable side-effects of a particular measure,* for example, a measure whose consequences are counterproductive to the party's efforts to achieve his goals and incompatible with his values.

Negative side-effects are incongruous not only with the party's substantive and strategic goals but also with his strategic evaluation system. If the recipients recognize that a party initiating a particular measure has not calculated with certain negative effects of the initiative, that party's negotiation reputation may be damaged, that is, the party becomes known for initiating proposals with undesirable consequences. If a party's strategic goal is to preserve a good negotiation reputation by maintaining credibility, this goal may perhaps outweigh the substantive advantages anticipated as a result of the implementation of these proposals.

According to this line of reasoning, then, the risk for negative side-effects refers to the probability of a certain measure leading to a negative outcome. The positive counterpart of the concept risk is "chance," a concept which can be used to describe the probability of a measure producing positive side-effects. The side-effects produced by a measure may be distinct and obvious or diffuse and ambiguous. This circumstance has an impact on the parties' analysis of the causes of unsuccessful attempts to achieve strategic or substantive goals.

4.3.3. Conceivable effects of a high degree of uncertainty

1. Situational uncertainty leads to passivity which in the long run may make it more difficult to reach an agreement. Under these circumstances, the party risks losing all influence over the outcome of the negotiations. On the other hand, if the party believes that he possesses the means to neutralize the risks involved in every conceivable calculated or uncalculated contingency, he will remain unaffected by situational uncertainty.²⁴ Prolonged passivity based on the lack of information is unusual. In this situation, the party probably attempts to reduce uncertainty by actively seeking information.
2. Situational uncertainty causes the participants to formulate their goals and standpoints in an ambiguous and obscure way which in turn may reinforce the element of uncertainty inherent in other parties' subjective definition

²⁴ In the ENDC negotiations, such an attitude seemed to be more typical of the primary parties than of the secondary parties.

of the situation. Ambiguity as a consequence of uncertainty may even have other consequences. Diffuse and ambiguous positions may negatively affect the probability of a particular measure being accepted by the recipients. For example, a proposed measure may be formulated in such vague terms that the recipients, being unable to assess its consequences, simply reject the proposal. The recipients' ability to tolerate risk and their propensity to accept ambiguity seem to vary, however.²⁵ Ambiguous positions create diffuse obstacles to agreement, particularly if these vague positions are the result of disagreements among the parties. The parties have difficulty in evaluating the continuity of ambiguously formulated negotiatory positions just as they find it hard to evaluate each other's credibility.

The *mediator's* attitude to a high level of uncertainty is dualistic. It cannot be simply assumed that the mediator considers a reduction of the level of uncertainty to be a suitable strategic goal. For example, if the mediator concentrates his efforts on attempts to influence the parties' expectations about the substance of an impending agreement, it may be to his advantage to exploit situational uncertainty. For instance, it seems easier for the mediator to influence the parties' expectations as long as the negotiation range and the contract zone have not been established. Furthermore, the mediator has more freedom to press for the adoption of mediation proposals if he is not confronted with a set of inflexible commitments or specific standpoints made by the parties involved in a particular dispute.²⁶

On the other hand, situational uncertainty and ambiguously worded standpoints may also prove disadvantageous to the mediator in the sense that inadequate information complicates the task of formulating compromise proposals. A conflict exists between the mediator's need for ambiguity which provides enough freedom of action to formulate independent mediation proposals and his need for concrete reference points which serve as the basis for his initiatives. Formulating proposals in a specific manner may increase their credibility. Technically precise proposals facilitate the recipients' attempts to evaluate and control the amount of risk-taking involved in a possible acceptance of such measures. Specific proposals therefore reduce the degree of uncertainty.

Furthermore, specific compromise proposals increase the recipients' ability to identify the demands, desires, and proposals which they themselves have previously advocated. If parties attempt to define the situation while

²⁵ Thomson, 1967: 118: "It seems clear that some individuals are more tolerant of risk and ambiguity than others and also that such tolerance is more widely distributed in some societies than in others." On the term "ambiguity," see Iklé, 1964: 10, 11, 15, 16.

²⁶ Baldwin, 1971: 75. Baldwin uses the concepts "clarity and vagueness" in analyzing threat: "One must not confuse the minimum, the optimum, and the maximum degree of clarity."

they are in the process of studying a draft proposal, the following two variations are interesting in terms of the level of ambiguity employed in the formulation of the draft.

- a) An ambiguously worded agreement may possibly facilitate the recruitment of potential treaty signatories. Possible future retreats or treaty abrogations may seem less complicated for the interested party. Ambiguity entails certain advantages for a party contemplating a retreat.
- b) Ambiguity makes the parties reluctant to accept an agreement. Uncertainty as to the degree to which a particular proposal would restrict a party's freedom of action increases the recipient's hesitancy to make commitments. If ambiguity is replaced by precision, potential mediators as well as other parties may be able to estimate the demands involved in making concessions in a more exact way, and the parties may even be able to evaluate the consequences of a wider range of options in a more reliable manner. This insight may encourage the mediator to attempt to force the pace of the negotiations until the point in the decision-making process is reached where the parties begin to evaluate the consequences of various alternative courses of action.

Ambiguity should not merely be interpreted as an indication of situational uncertainty. Even if a party believes that he has adequate information about a particular situation, he may still have an interest in ambiguous formulations. Ambiguity may be related to such factors as a party's propensity to make concessions and his freedom of action. An ambiguous initiative can thus be an integral part in a party's attempts to maintain his freedom of action. The party may wish to avoid restricting his freedom of action by, for example, specifically committing himself to one distinct course of action regardless of how he interprets the degree of uncertainty associated with a particular negotiatory situation.

Furthermore, ambiguous initiatives may be seen as an indication of a party's propensity to make concessions even if it seems probable that a positive attitude towards reaching an agreement presupposes a willingness to make some type of provisional commitments at least in later stages of negotiation. Ambiguity is not, however, a given prerequisite for a great propensity to make concessions. Specific commitments such as, "we commit ourselves to an acceptance of all proposals from other participants," illustrate a maximum propensity to make concessions. In this case, the party's freedom of action is formally reduced to a minimum. The party can maintain his freedom of action only if the recipients fail to respond with any proposals. Statements of this type should be seen as a manifestation of an extremely flexible attitude. The concept ambiguity ought therefore to be distinguished from the concept flexibility. A party

may be said to have taken a flexible position when he specifically declares an interest in different types of solutions, with the final selection of one particular alternative course of action made in a spirit of mutual understanding with other parties.²⁷

3. If the mediator's and other parties' definition of the situation is characterized by a high degree of uncertainty about the parties involved in the negotiations, and where the other parties develop defense mechanisms as to the most adequate choice of strategy. When the mediator has difficulty in identifying obstacles to agreement, the risk increases that he will take insufficient measures and choose inadequate strategies. An inadequate choice of strategy may have prejudicial effects which may discredit a certain type of strategy. This may result in a situation where the party who employed the strategy avoids using the same type of strategy in subsequent negotiations, and where the other parties develop defense mechanisms against a certain type of measure. If the mediator cannot identify obstacles to agreement, he may take certain alternative measures, all more or less involving a certain degree of risk-taking. The following variations seem especially interesting, particularly in reference to the problem of side-effects.

- a) The party's measures (proposals, for instance) touch areas and phenomena which do not constitute obstacles to agreement. In this way artificial barriers can arise if the parties' attention is directed toward ostensible problem areas, a circumstance which, from the mediator's point of view, may alter these parties' definition of the situation in a negative direction.
- b) The mediator consciously or unconsciously employs measures and strategies which are characterized by *overcapacity*. That is, these measures and strategies are designed to function within an area which is more comprehensive than the obstacles to agreement. In this case, such maneuvers may produce negative side-effects by actualizing new problems. The party lacks the refined means for dealing precisely with a specific obstacle or set of obstacles to agreement but instead is forced to use tools with more comprehensive and less exact effects.

A party may introduce a proposal with overcapacity in order to broaden the negotiation range and thereby increase the possibility of compromise. The purpose may also be to solve several problems, that is, to neutralize several obstacles to agreement simultaneously. A proposal with overcapacity may overextend the mediator's as well as the recipient's resources, and the element of inertia associated with the negotiation pro-

²⁷ Iklé, 1964: 15, 194. Iklé argues that flexible proposals help maintain the recipient's interest in the negotiations. Walton-McKersie, 1965: 92, 85.

cess may increase. On the other hand, a measure characterized by overcapacity may also produce positive effects by neutralizing undetected obstacles to agreement.

- c) The mediator employs measures characterized by *undercapacity*. Such a measure does not have the potential to neutralize completely obstacles to agreement. Because the measure can deal effectively with only a portion of the obstacles, the mediator may reject the measure as inadequate.
- d) The mediator undertakes several measures simultaneously or in rapid succession in order to test out alternative solutions to the problems preventing a settlement. In this case, the risks for negative side-effects are quite great since such a clustering of measures increases the probability that the effects of the initiatives will *neutralize, reduce, or reinforce* each other in an unintentional or uncontrollable way. A single measure or strategy which functions satisfactorily in isolation and which produces certain specific known effects may, when simultaneously employed with other measures, have completely new and uncalculated effects.

In a similar fashion, a measure such as the introduction of a new technique may undermine the interested parties' confidence in previously proposed techniques. In a situation in which the earlier measure has not yet yielded its full effect, the new measure may discredit the previous initiative. Such a development may thus precipitate a break in positional continuity, and the parties' propensity to retreat may increase. In short, the preconditions are created for retroactive negative effects.²⁸

Measures may thus be mutually competitive even if they are not introduced simultaneously. It is also possible that a previous measure may have delayed effects and thereby conflict with currently employed measures in an uncontrollable way. For example, if the mediator wishes to reduce the participants' situational uncertainty by initiating some probing, and if the recipients' are slow to react to this probing, the mediator may receive additional information as he is in the process of presenting a compromise proposal. In this case, the new information may complicate the mediator's efforts, provided that the new information introduces knowledge which he had overlooked in formulating his compromise proposal.

- 4. The risk that the participant's negotiation reputation will be damaged seems less in situations characterized by a high degree of uncertainty since the

²⁸ On "concurrent" and "delayed" effects, cf. Oskamp, 1971 : 227.

participants can rationalize an apparent failure on the grounds that the decisional premises which guided their behavior were inadequate.

5. A high degree of situational uncertainty is taken as a justification for information-giving, that is, a situation in which the party introduces information which is consciously adapted to his own substantive and strategic goals.

Chapter 5

Mediation and Search Strategies

5. 1. Introduction

It has been argued in the preceding chapter that the level of uncertainty has a definite impact on the parties' strategic behavior in a negotiation. An inadequate choice of strategy caused by lack of information and knowledge may result in risks for negative side-effects, a chain of events which illustrates the central importance of situational uncertainty. Strategies which can be expected to reduce this type of situational uncertainty are therefore of particular interest and will constitute the focal point of the subsequent analysis. Information-giving and information-seeking strategies seem to reduce the level of uncertainty characterizing a particular negotiatory situation. The discussion in this chapter will concentrate on what has here been referred to as *search strategies*. Parties employing search strategies attempt to reduce the degree of situational uncertainty in order to improve the possibility of achieving negotiatory results. If the parties' situational uncertainty decreases, their risk-taking also seems to be reduced. The use of search strategies can be seen as a party's attempt to reduce the distance between the unofficial subjective and the objective definition of the negotiatory situation.

Search strategies often seem to be used as "preparatory strategies" and usually are complemented by the use of other types of strategies. It thus seems reasonable to assume that most mediation proposals are preceded by some form of probing activity initiated through either formal or informal channels.

Diplomatic probing has always been a classic element in the conduct of foreign policy, but this type of activity (as far as this author knows) has never been the object of a systematic analysis. Terms such as "searching," "search activities," and "information-seeking" are, however, employed in theoretical analyses of the decision-making process and, to a certain degree, even in the literature dealing with bargaining theory. A brief review of this literature thus seems appropriate.

5.2. The Characteristics of Search Strategies and Search Activities

In analyses of decision-making, *the search for alternative courses of action* and the determination of the consequences of these alternatives have been interpreted as a stage in the development of the decision-making process.¹ It is sometimes presumed that searching does not encompass a search for all possible alternatives. Instead, the decision-maker may discontinue the search when he has found one acceptable alternative, even if this particular option does not fulfill all his expectations.² Searching may also be employed in an attempt to gain complementary information about previously inventoried alternatives. The concept of searching and its variants employed in the literature on decision-making theory are pertinent to this analysis because they are linked with a particular stage of the decision-making process in which searching is supposed to occur. It would be of great analytical significance if, in a similar way, search activities could be associated with particular stages of the negotiation process since such relationships would mark major opportunities for the implementation of mediation efforts. For example, the mediator may wish to pre-empt other parties' implementation of search activities, or he may want to intervene directly in their searching if it has already begun.

It will be assumed, however, that searching occurs in all stages of the negotiation process. For instance, in a late stage the parties may continue to "... search for a more acceptable solution with or without a redefinition of the problem."³ Searching may also be expected to take place in connection with goal formulation in the initial stage of negotiation.⁴

In their analysis of mediation processes, certain observers have emphasized the mediator's "fact-finding" mission.⁵ "Fact-finding" has been defined as "... the process wherein a third party, either permanent or *ad hoc*, investigates a dispute and issues a report ... which is not binding on the parties."⁶

The following questions can also be cited as examples of the issues which have been dealt with in the meager amount of existing literature on mediation:

What information should he seek about the parties and their dispute? Where should he look for it? What can be done while the information is being gathered?⁷

¹ Simon, 1965: 67. On partial processes and strategic decision-making, see Lindberg, 1971: 43 f.

² Melesko, 1970: 3: 1 f., and 3: 21. Cf. also the theoretical treatment of bargaining in Walton-McKersie, 1965: 137 f. "Searching for alternate solutions and their consequences."

³ Walton-McKersie, 1965: 139.

⁴ Stagner, 1955: 397.

⁵ Burton, 1969: 154.

⁶ Jensen, 1955: 573.

⁷ *Some Aspects of Mediation*, 1970: 6, 28.

The job of the mediator was to seek out what each party wanted and to use this as a basis for discussion.⁸

These analysts thus seem to look at search activities as the first stage in a mediation process. It has, however, been emphasized that a mediator should not carry his search too far by, for example, requesting a recipient to make decisions in an early stage of the negotiation process or by "cross-questioning" the parties.⁹ This discussion can be related to the previous analysis of side-effects.

As noted in Chapter 3, concepts such as "information-seeking functions" and "reconnoitering" have been used in studies of collective bargaining and should be interpreted as synonyms for different "search concepts."¹⁰

The following concepts will be employed in the subsequent analysis.

The concept *search strategy*: A search strategy is a plan which encompasses a set of measures or means which can be used to improve a party's information and knowledge about a particular phenomenon or phenomena. In a negotiatory context, search strategies can be seen as a plan for reducing the distance between the objective and subjective definition of the negotiatory situation. The goal of the search strategy may be to discover alternative courses of action. Although the search strategy may be a plan for inventorying new alternatives, it may merely be a plan for the clarification of particular problems.

A distinction should be maintained between the concepts knowledge and information, for improved knowledge may be gained through the refinement and interpretation of pre-existing information.

The concept *search activity*: As noted in Chapter 1, the concept "strategic behavior" refers to the application or use of different strategies. In the subsequent analysis, application and use of search strategies will be referred to as either "search activities" or "the implementation and use of search strategies."¹¹

5.2.1. The search strategy as a role-independent strategy

The search strategy is a role-independent strategy, that is, a strategy which the recipient cannot directly relate to any specific role type and whose effects are not completely dependent upon whether the recipient interprets the strategy as an expression of mediation or bargaining ambitions. Search strategies can also be employed to reach completely different types of goals. Searching

⁸ *Some Aspects of Mediation*, 1970: 30.

⁹ *Some Aspects of Mediation*, 1970: 36 f.

¹⁰ On information-seeking functions, see Stevens, 1963: 61. On reconnoitering, cf. Douglas, 1957: 75.

¹¹ March-Simon, 1966: 39, 48, 115. On "search behavior" and "problemistic search," cf. Cyert-March, 1963: 52, 60. See also Gore, 1964: 41, in which "search activity" is called "perceptual activity."

used to investigate the parties' propensity to make concessions can be in the interest of both a potential mediator and a party with bargaining ambitions. The role independence of the strategy seems to confront a party contemplating its use with both advantages and disadvantages.

1. This type of strategy frees the initiator from certain demands on his credibility and negotiation reputation. Role-independent strategies seem essentially to increase a party's freedom of action.
2. If the search activities are diffuse, it is difficult for the recipient to relate these activities to definite strategic goals. A strategy expressed through strategic behavior can be concealed by activities which are normally associated with other strategies. Relatively specific and distinct search activities (certain types of questions, for instance) can, however, give some indication of the strategic goal which the search activities were intended to realize. The party employing these search activities can influence the other parties' role expectations to a certain degree. For example, "demand-centered" search activities indicate that the initiator probably will play a bargaining role in the negotiations.
3. The eventual results of search strategies can be utilized in various ways. For instance, they may be used as the basis for mediation proposals or as the basis for bargaining activity.

5.2.2. Strategic goals and search strategies

An increased understanding of the significance of search strategies in the negotiation process can be gained by inventorying and differentiating the strategic subgoals which might fall under the general strategic goal which impels a party to use search strategies, that is, a desire to improve his information and knowledge. The formulation of strategic goals can be conceived as taking place within the framework of the strategic decision-making process which eventually results in the selection of a particular strategy. Listed below are examples of strategic goals:

1. The strategic goal may be to improve the parties' information and knowledge in order to facilitate the joint decision-making process. An inadequate exchange of information may hinder the parties in their efforts to reach joint decisions. Search strategies can serve to prevent a breakdown of the joint decision-making process.¹²
 - a) The strategic goal may be to improve the parties' information and knowledge concerning each other's information and knowledge about existing obstacles to agreement, the causes of these obstacles, and the possibilities

¹² Rhenman, 1967 : 56 f.

of neutralizing them. By improving his information and knowledge about obstacles to agreement, a party may be able to avoid selecting an inadequate strategy, for example, a strategy characterized by undercapacity or overcapacity.

- b) The strategic goal may be to improve the parties' information and knowledge about the recipients' substantive goals and standpoints so that the parties may be able to measure more accurately the distance between their positions. For example, a mediator may wish to gain information about the mediation objects' propensity to compromise. A mediator may use these search activities in an attempt to investigate the possibilities of submitting compromise proposals. The party employing such activities may wish to clarify previously unknown standpoints.
 - c) The strategic goal may be to improve the parties' information and knowledge about the components of each other's strategic evaluation system, for instance, their general attitude towards the solution of disputes through compromise.
2. The strategic goal may be to accelerate or retard the tempo of the negotiation process through the use of search strategies. For example, the mediator may attempt to prevent a negotiatory development which he finds counter-productive to his goal of promoting agreement by posing a series of questions to the parties interested in a quick but, in the mediator's opinion, undesirable solution.
3. It is also conceivable that a party may use search strategies in an attempt to conceal his real intentions. Instead of wishing to improve his information and knowledge, the party may want to direct the participants' attention towards certain specific partial problems in a way which favors his own interests. For instance, a mediator may want to direct the negotiations in a direction which increases the possibilities of synchronizing the parties' divergent interests. In this way, the mediator may wish to establish a set of decisional premises which can form the basis of demands for concessions from all the parties involved in a particular dispute. The mediator therefore concentrates his efforts on convincing the participants to re-consider their standpoints.

5.3. Mediation and Search Strategies

When the mediator employs search strategies, he can be said to be actively interested in the recipients' negotiatory positions and standpoints but passive in the sense that the mediator leaves it to the recipients to formulate their own positions. Consequently, a party's searching may generate reactions which he cannot, to any appreciable degree, control. The initiator has, however, certain means of influencing these reactions which will be discussed later in the analysis.

Prior to the initiation of a compromise proposal, for example, a mediator may use search strategies in his investigation of the preconditions for changes in the parties' standpoints. The results achieved through the use of these search strategies depend on whether the new information or knowledge can be directly utilized. If the search activities are intended to serve as preparatory measures preceding a mediation proposal designed for initiation at a later date, the mediation proposal must be implemented relatively soon after the search activities have yielded results. This timing sequence is particularly significant if the negotiatory situation is judged to be unstable, for such a situation demands a rapid processing of information. In addition to investigating the preconditions for joint decisions, the mediator may attempt to influence the individual parties' decision-making processes. For example, in a situation where the mediator believes that the recipient is in the process of formulating his goals, the mediator may initiate search strategies which include questions regarding the evaluation of the consequences of conceivable alternative courses of action. By concentrating his questions within a later phase of the recipient's decision-making process, the mediator may press the recipient into accelerating his decision-making process. It is, however, also conceivable that such questions may introduce new problems which demand time for consideration and thereby increase the degree of inertia characterizing the recipient's decision-making process. The nature of the questions or arguments constituting the search activities are thus of great significance.

The above analysis actualized the question: When does the mediator use search strategies? The timing problem will therefore become the focus of the subsequent discussion which in turn will be related to an examination of the stages of the negotiation process and different types of situations. The following opportunities might reasonably present themselves to the mediator:

1. Search activities are initiated in the intermediate stage of negotiations and consist mainly of the search for alternative courses of action.¹³
2. Search activities are initiated when special problems demand an investigation of their underlying causes. This kind of searching may take place in different stages of the negotiation. Conflicts may, for example, concern goals, evaluations of the consequences of various alternative courses of action, or the formulation of a final agreement.¹⁴
3. Search activities are introduced before any problems have occurred. The mediator attempts to prevent potential disagreements from arising due to a lack of information. In this case, the search activities may be interpreted as a form of preventive mediation.

Search activities used as diversionary activities refer to a mediator's attempts

¹³ Walton-McKersie, 1965 : 137.

¹⁴ Cf. Cyert-March, 1963 : 60, 79.

to search actively for information and knowledge which can divert other parties' attention from latent conflict areas in order to restrain these parties from making commitments which might prevent the achievement of an agreement. In this way, the mediator uses the information and knowledge gained through his search activities to try to create a kind of diversionary and, in certain cases, depoliticizing effect.

When do the parties discontinue their search activities?¹⁵ The following alternatives seem conceivable:

1. The search activities are *discontinued* when the first acceptable alternative is found. Such an alternative might be one which the mediator can control, that is, one which he can competently formulate and introduce. For example, the mediator may be qualified to advise other parties about the technical prerequisites of a particular proposal.
- 2a. A party will *continue* his search activities as long as his experience indicates that better solutions can be achieved on the basis of a broader range of information than is currently available.
- 2b. Search activities *are continued* until strategic and substantive goals are reached.

5.4. Search Strategies and the Negotiation Milieu

The results of search activities seem to vary with the degree of publicity. If search strategies are employed in formal, open negotiations, the initiator's questions are revealed to all the participants simultaneously. This may be advantageous for the initiator because it facilitates a comparison of the responses received from the parties. A high degree of publicity may, however, restrict the parties' use of this type of strategy. If a party directs his search activities toward a particular participant, this recipient automatically becomes the focus of attention. This, in turn, may influence the recipient's evaluation of the party who initiated the search activities. If for any reason the recipient is disinclined to react to these search activities, this reluctance may be negatively interpreted by the other participants. On the other hand, questions asked in the context of an informal negotiation are less troublesome for the recipient.

Significant synchronization problems may arise in a multilateral negotiation if the mediator wishes to influence the individual parties' decision-making processes when these processes are in different stages of development.

An extended negotiation with its inherent long-range goals probably confronts the initiator with problems of interpretation in his attempts to evaluate the results of his search activities. How long should the initiator wait before declaring that the recipient is unwilling or unable to respond to his search activities? If there is a long delay before the recipient reacts, what value or

¹⁵ Melesko, 1970 : 3 : 37.

relevance does any eventual information have for the mediator if circumstances have changed in the meantime?

While the recipient is in the process of preparing a response, or from the time that the question was initiated to the time that the response is received, the conditions which originally precipitated the implementation of the search strategy may change. These altered circumstances create a certain degree of uncertainty about the worth of the information which eventually may be received. Such changes may mean that responses, when they are finally forthcoming, are considered uninteresting by the party who originally initiated the search activities (or even perhaps by all the parties).

This is not only a problem for the party employing search strategies; it is also a methodological problem for the investigator since it is difficult to interpret this lack of official reactions. It is conceivable that the recipient might respond during informal negotiations. But since this analysis has focused on formal negotiations as reflected in official documentation, responses made in an unofficial context constitute a methodological problem. Responses from a recipient made during informal consultations mean that the initiator has, in all probability, only partially realized his goal since the information has not reached all the parties. This situation once again actualizes the significance of the level of publicity. Does the recipient's reluctance to react depend on inability or unwillingness? Does the recipient find the question so irrelevant that he does not even consider it worthwhile to respond? Or is it possible that he is in the process of preparing a response and has chosen to remain passive during these preparations? Finally, by the time that his preparatory work has been completed, does the recipient believe that the negotiatory situation has been altered to such a degree that he does not find it worthwhile to respond?

5.5. Search Strategies and the Stages of the Negotiation Process

As noted at the beginning of this chapter, search strategies are used in an attempt to realize the strategic goal of improving a party's information and knowledge. This goal is differentiated and refined in the different stages of negotiation, a procedure which illustrates the parties' attempts to influence the joint decision-making process.

Search strategies are used in the initial stage in order to reduce the uncertainty concerning the number of possible negotiatory outcomes. In terms of goals and means, a search strategy ought to be seen as a means which can be employed to attain the strategic goal of establishing the negotiation range. The parties search for information about each other's substantive and strategic goals. Search strategies are used in this stage to survey and define the negotiation range. Search activities in the initial stage may also entail

preparations for the establishment of a contract zone.

In this stage, a party with mediation ambitions attempts to synchronize the formulation of other parties' goals and the way in which they define the problem areas to be discussed, most probably through the use of selective searching. A mediator may try to divert other parties' attention away from goals which are so incompatible that their realization would greatly reduce the possibility of reaching a compromise solution. Alternatively, the mediator may attempt to influence the parties' goals so that a joint goal can be established. He may also employ search activities in an effort to prevent the parties from reducing their freedom of action by making commitments.

The use of search strategies may, however, help create obstacles to agreement and thereby complicate the parties' task of defining the boundaries of the negotiation range. The parties' propensities to use search strategies are probably often limited by the realization that comprehensive search activities may result in uncontrollable initial discussions which subsequently may make it more difficult to establish the contract zone.

In the intermediate stage of negotiation, the parties seek alternative courses of action acceptable to all the participants. Selective search activities contribute to the elimination of certain unrealistic alternatives by facilitating the inventorying of issues and problem areas. In this stage of negotiation, the mediator tries to synchronize the parties' choice of alternative courses of action. The mediator attempts to contribute to the establishment of a contract zone which leaves open some possibility for reaching compromise solutions. That is, he tries to prevent the creation of a contract zone which might contain a residue of alternatives unamenable to compromise after the parties have exhausted their willingness to make concessions. This kind of searching ought, then, to be partially seen as part of the groundwork preparing the way for the segment of the negotiations dealing with a final agreement.

In the final stage, the parties search for the final conditions required for an acceptance of a final agreement, and it can be expected that a mediator who wishes to preserve the negotiations in their current stage of development will attempt to concentrate his search activities within the contract zone pre-existing at that particular time. Search activities which precipitate a discussion of issues lying outside the contract zone seem to be counterproductive in terms of reaching a final agreement.

After the negotiation range and contract zone have been established, the application of a particular search strategy may be analyzed in order to determine if the initiator seeks information and knowledge concerning phenomena outside the contract zone in an effort to alter the negotiation range and the contract zone. Information which illuminates and clarifies the current negotiatory situation can thereby come to light which may facilitate mediation efforts. An interesting analytical problem in this respect is whether and to what extent such activities reduce or increase uncertainty.

5.6. Conceivable Effects of Using Search Strategies

The following scheme of conceivable effects describes a number of possible consequences resulting from the use of search strategies. Positive effects refer to effects which are advantageous from the initiator's perspective in terms of the ability of the strategy to attain projected goals. Negative effects refer to the converse of this condition.

The effects of search activities, (for instance questions,) seem to vary according to whether the questions initiated in the course of the searching are new questions which have not been previously perceived or discussed by the parties or are of a complementary nature, that is, questions depending completely or partially on known conditions. A party takes a conscious and calculated risk if he chooses to employ a search strategy which he knows may entail certain negative effects. Even if the party is aware of certain negative effects associated with the use of search strategies, he may still choose to employ this type of strategy. If the initiator interprets the selection of a search strategy as a choice of the best strategy among bad strategic alternatives, he may be able to tolerate apparent negative effects more easily.

For these reasons, it is quite important to study the parties' attempts to neutralize conceivable negative side-effects through the use of search strategies. It seems reasonable to assume that a party's efforts to combine searching with other activities may indicate that the party is aware of the possibilities of side-effects. This problem will be discussed in the following analysis, and possible future attempts to neutralize conceivable negative side-effects will be studied. The parties' propensity to employ strategies with side-effects seems to vary with the level of resources which they can muster in their subsequent efforts to neutralize these side-effects.

5.6.1. Conceivable negative effects of the use of search strategies

The use of search strategies may produce the following effects which, from the perspective of the party employing this type of strategy, may seem essentially negative.

1. Because reactions to search activities are difficult to control, the initiator risks an uncontrollable development of the negotiation process. Search activities can unintentionally precipitate a discussion or debate which the initiator may feel cannot facilitate the task of reaching his idea of an agreement. If such search activities are directed at a particular party, the response can initiate an exchange of information or an argument between the intended receiver and other parties which the mediator can control only to a limited extent.
2. Search activities can have delayed effects which neutralize or reinforce

the subsequent use of strategies in an uncontrollable way. For example, retarded reactions from a recipient may block ensuing measures from the initiator.

3. Search activities may impede the continued development of the negotiations by provoking the recipients into taking undesirable positions or making unconditional commitments.
4. Search activities may offer a preview of the substance of future proposals and can thus provide the recipient with an opportunity to pre-empt possible complementary proposals. Search activities may reveal the composition of initiatives designed for future use. If the recipient identifies and evaluates the search activities as measures preparing the way for mediation proposals, he may consciously bind his freedom of action by making commitments in order to influence or hinder mediation efforts. From the mediator's perspective, a risk exists that the recipient will develop a resistance to subsequent attempts to influence his positions within the area affected by the search activities. It is, however, conceivable that the mediator wishes to offer the recipient the chance for a self-examination of his attitude towards compromise proposals. The mediator's aim may also be to reduce his own role ambiguity by reinforcing some of the recipients' expectations regarding the mediator's future activities.
5. Search activities may reveal such a lack of information and knowledge that the parties' uncertainty about possible and probable negotiatory results increases. Such insights may delay the achievement of desired negotiatory results if the recipients demand time-consuming investigations in order to bolster the low level of information and knowledge exposed by the search activities. Thus, the use of search strategies entails a certain degree of risk-taking if the mediator's goal is to force the pace of the negotiations and if, in the planning of his subsequent mediation proposal, he has counted on the proposal receiving prompt treatment. In terms of risk-taking, then, this dilemma is represented by competition between the need for information required for the formulation of a maximally effective mediation proposal and the demand for immediate effects of preparatory measures.

In summary, search activities can delay the development of the recipients' decision-making processes and thus retard the joint decision-making process.

5.6.2. Conceivable positive effects of the use of search strategies

1. Search activities may contribute to a reduction of situational uncertainty and thereby diminish the risks that the parties will choose inadequate strategies during the ensuing negotiations. In this case, the search activities have "risk-neutralizing" effects. A reduction of situational uncertainty increases the possibility of calculating the side-effects of other strategies

designed for implementation at a later point in the negotiations. The parties' information and knowledge of each other's standpoints are improved. Knowledge of the particular set of preconditions necessary for a synchronization of the parties' decision-making processes (and thus the possibility of reaching joint decisions) is also increased.

The positive effects of search strategies should be evaluated in light of the earlier discussion of the impact of uncertainty on negotiations in general and its significance in international disarmament negotiations in particular.

- 2. Search activities are advantageous to the initiator because they do not restrict his freedom of action to any great extent. The role independence of search strategies helps limit the risks for a deterioration of the initiator's negotiation reputation.

5.7. The Query Technique as a Type of Search Strategy

An operative form of the search strategy could be called the *query technique*.¹⁶ Query can be defined as one party's questions to other parties. Certain distinctions between different types of questions will be made in the subsequent analysis. Special attention will be given to cases in which questions are employed in conjunction with the use of other activities, for example, activities which are completely or partially related to strategic goals other than the improvement of a party's information and knowledge. As the empirical part of this analysis will attempt to show, different types of strategies are often introduced simultaneously. An appropriate method for illuminating the characteristic features of the query technique would be to compare strategic activity which is "query-oriented" with other activities (for example, persuasive activities in the form of argumentation or, alternatively, activities centered around the introduction of proposals).¹⁷

Questions	Proposals, Arguments
1. Questions seek direct and explicit, more exact and/or complete information (regarding, for example, the recipients' standpoints).	1. Proposals and arguments only indirectly and implicitly seek clearer and/or more complete information.
2. The use of questions may endanger the initiator's negotiation reputation to a relatively limited degree.	2. Every new proposal actualizes the problem of the initiator's negotiation reputation, credibility, and continuity. This holds true, although to a lesser extent, even in the case of argumentation or persuasive strategies.

¹⁶ Cf. *Some Aspects of Mediation*, 1970 : 6 : "Should the mediation be based on a formal inquiry establishing the facts?" Ahmed, 1963 : 27 f.

¹⁷ Stevens, 1963 : 63. The author maintains that "The initial bargaining proposal is an information-seeking device."

Questions	Proposals, Arguments
3. Questions seem to have only external negotiatory consequences. It is seldom necessary to consult internal reference groups.	3. It is often necessary to consult internal reference groups, particularly in the case of proposals.
4. The problem of retreats is not applicable.	4. The problem of retreats is of central importance.
5. Freedom of action is seldom restricted, and then, only to a limited extent.	5. Freedom of action is often limited to a significant degree.

5.7.1. Bases of subdivision of queries

Queries can be analytically classified on the basis of the factors which both influence (1 and 2 below) and characterize (3 and 4 below) the use of the query technique.

1. *The initiator's strategic goals*

The following variants seem interesting in this context:

- a) The initiator's primary strategic goal is the improvement of his information and knowledge. In this case, questions are considered to be a direct application of a search strategy.
- b) The initiator's primary strategic goal is to guide the negotiation in a special direction or to influence the development of the negotiation process.
- c) The initiator's goal is partly to improve his information and knowledge and partly to guide or influence the negotiation process (for example, in order to hold the parties' interest on a particular problem). Either goal may dominate depending upon the negotiatory situation. The two goals do not seem incompatible, however.

The analysis has thus far concentrated on an examination of search strategies used in an attempt to improve a party's information and knowledge. A party employing search strategies seems to be primarily interested in a reduction of situational uncertainty. At the same time, however, a party may use search strategies to reach other goals. Thus, search strategies may be used in an effort to influence the composition of the information which is sought. In addition, a party may employ questions in an attempt to influence the result of the negotiations by guiding the parties' attention in a particular direction. Consequently, an analysis of the use of "guiding" questions cannot be overlooked in a study of mediation efforts. For example, a mediator may want information of a particular kind which can be used

as the basis of mediation proposals, and the use of neutral "non-guiding" questions is therefore not always the most effective way for the mediator to avoid activating a discussion or response dealing with a particular type of information which he might find counterproductive to his task of facilitating agreement. Information may thus be sought through the use of search strategies characterized by a relatively high degree of specificity.

In the subsequent analysis, such questions will be referred to as *guiding questions*. This kind of question is used by parties attempting to gain only that type of information which will facilitate the task of reaching their substantive and strategic goals. By formulating the questions in a particular manner, the initiator attempts to influence the recipient in such a way that the recipient's responses contain the type of information which is desired by the initiator. To a certain extent, the initiator can regulate the effects of such guiding questions by asking precise questions designed to elicit specific responses on delimited issues.

In accordance with the terminology employed earlier in connection with search behavior, this type of question can be differentiated in the following way: Guiding questions may range from questions designed to steer, regulate, or direct the parties' attention in a discreet or subtle manner (tentative questions, for example) to *leading questions* used to influence the formulation of the recipient's reply. Another type of guiding question is the *diversionary question* which is formulated in a way calculated to distract or divert the parties' attention *from* certain problem or issue areas. Guiding questions may also be used in an effort to direct the parties' attention *towards* particular types of issues or problems. Finally, guiding questions can be employed to maintain or hold the parties' attention on problems or issues in which they are already interested.

In addition to using queries as guiding questions, a party may employ queries to carry out *selective searching*. That is, a party may concentrate his questions in areas in which he thinks the desired information may exist. Conversely, the party may avoid searching for information which can only be counterproductive to his purposes. Even selective questions can have diversionary effects or be employed for diversionary purposes. The difference between selective questions and guiding questions is that the selective question is used to seek information in a particular issue area while avoiding other areas. The selective question does not appear to have any "guiding" characteristics, whereas a guiding question seems to be explicitly formulated and employed in a conscious attempt to influence the recipient's answer or his interest in a particular issue or problem area.

2. *The initiator's estimate of the recipients' knowledge and information*

A distinction ought to be maintained between two types of questions.

Qualified questions are queries of the type: What are your views on

problem X? Unqualified questions are queries such as: Why are you negotiating? What do you want to achieve by negotiating?

Questions can thus be classified on the basis of the parties' knowledge of the phenomena which are actualized by the query, that is, whether the questions are "initiating" questions which actualize problems or solutions not previously observed or dealt with, or "complementary" questions which seek to further illuminate known problems or solutions.

3. *The degree of specificity of the questions*

An ambiguously formulated question means reduced control over the response. The recipient is free to interpret the question in any way which he finds strategically opportune. And since the mediator in this investigation was not formally authorized, the recipients did not even need to answer his questions.

4. *The direction of the questions*

Is it explicitly clear to whom the questions are directed?

5.7.2. Differences and similarities between search activities and persuasive activities

Search and persuasive activities seem to be similar in several respects. Operative search activities in the form of questions from one participant to another participant or group of participants will be subsequently analyzed with particular attention given to the types of questions which can be analytically associated with persuasive activities in the form of argumentation. It is also conceivable that several strategic goals are combined within the same document and are thus presented simultaneously with the submission of the document. The following variants seem particularly relevant in this respect:

1. questions which are preparations for an argumentation, e.g., questions designed to initiate a certain discussion or debate;
2. questions as arguments, that is, arguments in the form of queries;
3. questions combined with arguments, that is, two activities initiated simultaneously in an attempt to realize a uniform strategic goal with the questions designed to guide the negotiations in a particular direction and the arguments intended to improve the initiator's information and knowledge about other parties; and
4. proposals (for instance, mediation proposals) formulated as questions. In this way, the proposals seem to receive a more tentative form.¹⁸

¹⁸ Stevens, 1963 : 63.

In all these cases, an analysis couched in terms of search behavior is justified. Consequently, an argument in certain situations can be seen as a search for new alternative courses of action. The analysis is thus primarily concerned with overt search strategies whose predominant goal can be described as the improvement of information and knowledge.

5.8. The Use of Search Strategies in ENDC

In the context of ENDC, search strategies were employed during the informal, secret negotiations as well as during the formally documented official sessions.¹⁹

This section of the present chapter will deal with the official use of search strategies in ENDC with particular reference to Swedish mediation efforts. The analysis will specifically focus on the Swedish use of what has previously been called the query technique. The Swedish initiatives in which search and persuasive activities were combined will be given special attention. The discussion will also concentrate on "guiding" search activities. In addition, an analysis of a major "search document" will be undertaken in which competition between different strategic goals and between various means will be investigated.

5.8.1. Mediation and the use of search strategies in ENDC

The following illustrations are taken from the ENDC negotiations which dealt with general and complete disarmament. The Swedish search activities discussed below should be seen against the background of the Soviet and American disarmament plans which were presented to ENDC. The purpose of the analysis is to illuminate to what degree the Swedish activities were designed to serve as tools of mediation (for example, to what degree the questions put to the primary parties were designed to facilitate compromise between those parties). It sometimes seems reasonable to interpret the use of search strategies as a substitute for pure compromise proposals. Accordingly, Swedish initiatives were justified in the following way:

At this juncture it would be presumptuous for me to try and put forward any proposals for compromises in one respect or the other. But I feel strongly that some lack of understanding stems from lack of clarification in the drafts and in the comments on them.²⁰

The rationale for the Swedish activities was the differences between the Soviet and American proposals on complete and general disarmament. The Soviet proposal, for instance, emphasized the importance of a dismantling

¹⁹ On informal probing, see Lall, 1966 : 337 f.; Ahmed, 1967 : 31

²⁰ ENDC/PV. 35 : 29.

of the world-wide system of military bases, while the American plan maintained the significance of a troop reduction. In addition, while both proposals prescribed a three-stage disarmament process, the plans differed over the length of these stages. The Swedish delegation apparently searched for compromises which might neutralize this disagreement.

Would it not be worth considering, for example, making the time period for the first disarmament stage a little longer than in the Soviet proposal, and making the periods of the second and third stages a little shorter than in the United States' proposals?²¹

This guiding question was combined with a cautious criticism of certain aspects of both plans, a critique formulated once again as a question.

Could we at least have a more specific explanation from the Soviet delegation of how it could achieve so much in so short a time, and one from the United States' delegation of why it cannot go faster after stage I?²²

The same document contains further explicit examples of Swedish attempts to search for the prerequisites of compromise through the use of guiding questions. A reduction of the supposed American nuclear superiority was actualized by the following question:

...is it not worth considering whether the exact percentage-wise reduction of armaments by categories or types, as in the United States proposal, would really uphold the so-called balance better than, say, a higher reduction in some armaments such as atomic weapons or weapon carriers and a lower one in others?²³

The presumed Soviet superiority in the area of conventional weapons actualized similar formulations:

... would it not be worth considering a higher reduction of conventional armaments such as tanks than is envisaged in the Soviet proposal for stage I?²⁴

The questions employed in these search activities were worded in a relatively ambiguous and tentative way; responses were not demanded, and provocative formulations were avoided.

This is not a criticism of obscurity in writing or speaking; it is only meant to show what an utterly complex problem we are dealing with.²⁵

Mediation through the use of search activities — most probably as a substitute for compromise proposals — was also initiated in an attempt to

²¹ ENDC/PV. 35: 29. On the differences and similarities between the Soviet and American draft treaties on general and complete disarmament, see *The United Nations and Disarmament 1945-1965*, 1967: 91 ff.

²² ENDC/PV. 35: 29.

²³ ENDC/PV. 35: 30.

²⁴ ENDC/PV. 35: 30.

²⁵ ENDC/PV. 35: 29.

bridge the gap between the Soviet and American positions on verification and control of disarmament measures, another classical disarmament problem.²⁶ According to the American view, the creation of an inspection and control system was to take place in successive steps and in this way coincide with a progressive type of disarmament designed to proceed in discrete phases. The Soviet Union, on the other hand, refused to allow any kind of on-site inspection anywhere within its territory before the process of disarmament had begun.²⁷ The Soviet attitude was exposed to Swedish probing through the following guiding question:

... would it not be possible, in the view of the Soviet delegation, so to construe a zonal system along the suggested lines that there would in its opinion be a significant difference between the opening up for control of a limited area and the opening up for control of a whole territory?²⁸

The Swedish delegation even attempted to influence the American position with another guiding question:

... would it be possible ... to defer declarations as to each particular zone, and inspection too, during the first stage until a significant cut [in the production of fissionable material] had already been effected?²⁹

These search activities may be interpreted as proposals formulated as questions. The Swedish delegation's efforts should therefore be seen as an attempt to reduce uncertainty about the primary parties' standpoints and positions regarding different types of solutions and alternative courses of action.

While mainly employed as a tool of mediation, these search activities were also combined with a type of bargaining argumentation which emphasized the particular problems of nations with conscripted military forces.

Obviously, the impact of a reduction in numbers of regular personnel would be much stronger ... under a system built on conscripts and reserves, because it might lose its core, than in a system built on professionals only.³⁰

A search for obstacles to agreement caused by uncertainty and secrecy also took place at this point.

I have the feeling, although my delegation has no access to atomic secrets, that the modifying of any ship or airplane into an atomic weapon carrier is a fairly complex technical process ... If that is so perhaps the reduction of actually existing nuclear weapon carriers ... will have to suffice as a disarmament measure.³¹

²⁶ Cf. Wright, 1964; Falk, 1965: 37-49; Bloomfield-Henkin, 1965: 107-122; Huddle, 1964: 175-186; and Myrdal, 1965: 44 ff.

²⁷ ENDC/PV. 35: 31.

²⁸ ENDC/PV. 35: 31.

²⁹ ENDC/PV. 35: 32.

³⁰ ENDC/PV. 35: 34.

³¹ ENDC/PV. 35: 35 f.

It seems significant that when the Swedish delegation employed search strategies as an integral part of its mediation efforts, questions put to both superpowers were formulated in a similar way.

These questions were probably given a relatively ambiguous formulation partially because of the extremely comprehensive problems under discussion and partially because of a reluctance to bind the parties' freedom of action by demanding responses in the form of commitments.

5.8.2. Search activities and persuasive activities: The ambiguous boundary between queries and arguments

During the initial stage of ENDC's treatment of the test ban issue in a situation which seemed to be stalemated, the Swedish delegation formulated a series of questions of a diversionary, almost de-politicizing nature:

... would it not be worth while to examine whether a solution to the problem of continuous control could be found on a non-political, non-military purely scientific basis ...?³²

The question preceded a proposal suggesting how this type of solution might be achieved. In the introduction to this proposal, it was maintained that a viable arrangement might be secured

... through a network of observation posts already established for the purpose of scientific advance and technological progress. ...³³

In all probability, the Swedish delegation wished to formulate its proposal in the form of tentative questions in order to probe for or search after alternative courses of action capable of neutralizing the stalemate situation without giving the recipients the impression that they were being pressured into immediately taking a position. It seems significant in this case that the proposal, which was formulated as a set of queries, was not directed at any particular party.

Further, would it not be possible to attach to such an organization or agency a limited number of scientists ... possibly from non-aligned countries ...?³⁴

On several occasions, the Swedish delegation put questions to the participating nuclear powers which were very similar to argumentation. There is reason to suspect that the strategic goal of information and knowledge improvement was of subordinate importance in such instances and that such questions can be seen as a technique for engaging in a relatively modest critique of the nuclear weapon powers. In demanding negotiations and agreements on a

³² ENDC/PV. 13 : 47.

³³ ENDC/PV. 13 : 47.

³⁴ ENDC/PV. 13 : 48.

comprehensive test ban treaty and a cut-off on the production of fissionable material for weapon purposes, Sweden directed the following argumentative question to the United States and the Soviet Union:

Would such obligatory inspections really make the legal justification for withdrawing from the treaty so much stronger that the political encumbrance of the inspection issue would be balanced [concerning underground test explosions]?³⁵

It is, however, also conceivable that this statement illustrates a search for counterarguments from the nuclear powers which might reveal their true positions. The critical tone was, however, quite apparent.

The Swedish delegation does not want to pronounce itself further now on this matter of inspections. If agreement about them were reached, we might try to contribute some constructive formulae.³⁶

On the other hand, it is not unreasonable to view these questions as merely persuasive activities while interpreting the initiator's arguments as an attempt to use questions as a means of provoking the recipient into a counterargumentation which improves the initiator's information. Argumentation in the form of questioning even occurred on other occasions during the ENDC negotiations.

What is a demand for inspection if not a challenge? How are the events to be inspected chosen if not by the same process of judging certain events to be more suspicious than others? And what is the sanction, in case an inspection should prove a party's guilt if not the same withdrawal from the treaty as might follow a defiance of repeated challenges?³⁷

The following statement is an example of questions used as arguments without any attempt to gain information:

How can we... the non-nuclear weapon States, be expected to enter into an interminable obligation to remain non-nuclear if the nuclear weapon States are engaged in an interminable nuclear escalation?³⁸

5.8.3. The role-independent search strategy: ENDC and the NPT case

As previously noted, search strategies should be interpreted as role-independent strategies, that is, search strategies which can be either bargaining-oriented or mediation-oriented.

The following analysis will deal with a single Swedish initiative which illustrates the Swedish delegation's use of search strategies.³⁹ The document

³⁵ ENDC/PV. 247: 22.

³⁶ ENDC/PV. 247: 23.

³⁷ ENDC/PV. 256: 7.

³⁸ ENDC/PV. 363: 5.

³⁹ ENDC/PV. 243: 4.

can be studied from various analytical perspectives. First, it can be seen as a manifestation of a cohesive strategy; with the help of one uniform technique—queries—Sweden attempted to achieve several different goals simultaneously. In this case, questions can be seen as means or measures initiated in an effort to reach projected substantive and strategic goals. According to this interpretation, then, the analysis can be directed towards the problem of possible competition or uncontrollable interaction among different measures.

Second, the document can be seen as an illustration of the use of different subordinate search strategies, that is, independent substrategies integrated into a more comprehensive and complex strategy. Such an analytical approach would thus suggest a study of competition and possible interaction among these various substrategies.

The following analytical approach has been chosen: The document in its entirety will be interpreted as an application of a cohesive strategy whose predominant strategic goal is the improvement of the initiator's information and knowledge. The analysis will, however, concentrate on the various segments of the document which illustrate the existence of other strategic goals, with particular attention given to the text segments which illustrate a conflict between bargaining-oriented and mediation-oriented goals.

The negotiation stage: The negotiations were, according to previous terminology, in the intermediate stage concerning the issue of a non-proliferation treaty. At this point, a provisional contract zone had either been established or was in the process of being established through the submission of separate American and Soviet NPT drafts.⁴⁰ According to the Swedish view, the negotiations had reached a stage in which the non-proliferation treaty was to be prioritized and where the negotiations were to be restricted to a discussion of the existing drafts.

It seems to me that in the Committee's deliberations we now stand at just about mid-point between the initial, more general, debate on disarmament and a detailed scrutiny of the draft treaties and other documents pertaining to the issue of non-proliferation of nuclear weapons, which is to be our first item of urgent negotiations.⁴¹

The negotiatory situation: In this case, the situation was characterized by a high degree of progress due to the fact that Soviet-American drafts had been submitted to the conference. At the same time, however, Sweden had failed in her attempts to convince the primary parties to prioritize a cut-off in the production of fissionable material and a comprehensive test ban treaty. As shown below, Sweden thus defined the situation as an uncertain one since

⁴⁰ Cf. the American memorandum, ENDC/152 (17 August 1965), and the Soviet memorandum, ENDC/164.

⁴¹ ENDC/PV. 243 : 4.

the problem of control had not been settled. The Swedish delegation was also unsure of the primary parties' views on the control issue.

Sweden's substantive goals

- a) The Swedish delegation wished to contribute to the establishment of a non-proliferation treaty.⁴²
- b) This wish was, however, conditional in the sense that the Swedish delegation had made its support of a non-proliferation treaty dependent upon other results in the area of armament control such as a comprehensive test ban treaty and a cut-off in the production of fissionable material.⁴³
- c) Sweden hoped that an eventual non-proliferation treaty would be controlled by the IAEA.⁴⁴

The official strategic goal might be labeled complementary information and knowledge improvement based on the Soviet and American drafts. The official goal was, to a certain extent however, formulated in terms of a bargain since the final Swedish standpoints on the issue of a non-proliferation treaty were claimed to be dependent on clarifying and complementary information from the Soviet Union and the United States.

At that very juncture my delegation feels a need to raise a few questions in order to obtain a clarification, without which we find it extremely difficult to formulate our own position in relation to the terms of such an agreement, which is desirable in itself but must also be quite watertight.⁴⁵

This kind of improved information would, according to the Swedish delegation, facilitate the subsequent development of the negotiation process.

Answers to those questions . . . or, rather, more precise explanations on the major issues . . . are, I think, really prerequisites for a meaningful debate on non-proliferation.⁴⁶

The strategic measure: The strategic measure primarily employed on this occasion was the query technique. "My contribution today will consequently be . . . a list of queries."⁴⁷

The first question was directed at the United States and dealt with the controversial control article in the American draft proposal which stated that control procedures should be carried out by the IAEA or guaranteed

⁴² AK, 1966, 12 : 33.

⁴³ ENDC/PV. 243 : 7 f.

⁴⁴ ENDC/PV. 243 : 6. See also United Nations Document A/C./PV. 1365 : 26. Throughout the treatment of the NPT issue by ENDC, Sweden strongly supported the view that the IAEA should be responsible for control procedures. See ENDC/PV. 281 : 6.

⁴⁵ ENDC/PV. 243 : 4.

⁴⁶ ENDC/PV. 243 : 5.

⁴⁷ ENDC/PV. 243 : 5.

through "equivalent international safeguard, on all peaceful nuclear activities [author's italics]."48

This search activity can be seen as an effort to accelerate the negotiation process by attempting to secure improved control procedures which, in turn, might help to guarantee compliance with the terms of the treaty. This effort seems partly to have been influenced by both the acceptability and the credibility principle. Other sections of the document also illustrate similar attempts to accelerate the negotiation process.

Is there a possibility of finding some procedural arrangement... in order to speed up our work?49

In this instance, the searching displayed a clear "guiding" tendency.

Should this now be superseded by more stringent regulation about IAEA controls in the first instance applied to all transfers to the non-nuclear countries [author's italics]?50

Here, the question expressed explicit hopes. As previously implied, searching was also employed which can be interpreted as an attempt to define more clearly the boundaries of the contract zone and the negotiation range.

Thus my question is: what is in reality the scope of the undertakings about which we are now negotiating?51

Sweden's desire for more comprehensive Soviet and American commitments on the control issue was clearly reflected in the following guiding question put to the Soviet Union, whose proposal contained no provisions for safeguards.

... does this mean that the Soviet Government would not support a provision for IAEA or other equally effective safeguards against the use of nuclear energy for other than peaceful purposes?52

The Swedish delegation was, however, restrained in its demands for responses, requesting only that the Soviet Union and the United States reply "... at least in a preliminary way"53

Sweden also sought a more specific definition of "... equivalent international safeguards ...," and in doing so, actualized the particularly complicated relations between EURATOM and IAEA regarding the issue of West Germany becoming an eventual signatory to a non-proliferation treaty.54

48 ENDC/152: 2.

49 ENDC/PV. 243: 9.

50 ENDC/PV. 243: 6.

51 ENDC/PV. 243: 6.

52 ENDC/PV. 243: 6.

53 ENDC/PV. 243: 6.

54 ENDC/PV. 243: 7. On the relations between EURATOM and IAEA, see Willrich, 1969: 58 ff, 108-109; Scheinman, 1970: 633 ff. and Prawitz, 1967: 211 ff.

Sweden thus discussed the necessity of replacing ambiguity with specificity, and unclear positions with precise positions, a discussion which could be said to touch upon the credibility factor as a strategic principle.

It should not be overlooked that too wide a range of different control mechanisms, with varying rules, would tend to create confusion and diminish their total effectiveness.⁵⁵

The Swedish delegation also questioned the primary parties' interpretation of the distribution of commitments resulting from a non-proliferation treaty⁵⁶ In this case, the Swedish activities can best be seen as a kind of bargaining-oriented argumentation employed in an attempt to precipitate a debate concerning appropriate concessions from the primary parties. The document certainly contained a number of questions of an argumentative nature.

If there exist valid arguments for these States to possess nuclear weapons, why do they not apply to any other countries?⁵⁷

Here, search activities seem to be used in an effort to provoke the recipients into a counterargument in order to improve the initiator's information and knowledge about the recipient's standpoints and thereby clarify the actual possibilities of influencing these recipients.⁵⁸

Sweden also attempted to broaden the contract zone by employing the query technique in an effort to reach other substantive goals in addition to a non-proliferation treaty.

Must we not carry on negotiations simultaneously on such other collateral measures on which an agreement would prove to the world that the nuclear-weapon States are not only interested in shutting off the nuclear option for other States...?⁵⁹

It is also possible, however, that such a formulation was used by the Swedish delegation in an effort to remind the participants of other possible outcomes outside the pre-existing or emergent provisional contract zone. Even if the Swedish delegation had to a certain extent begun to accept a concentration of the negotiations on the non-proliferation issue, it still wished to maintain a certain degree of continuity in its demands for concessions from the primary parties; perhaps because Sweden wanted to be able to cite these demands during the disarmament negotiations which were expected to follow any future non-proliferation treaty.

In this context, attempts were again made to accelerate the negotiation process: "We therefore ask the Committee at what juncture negotiations can

⁵⁵ ENDC/PV. 243: 7.

⁵⁶ ENDC/PV. 243: 7.

⁵⁷ ENDC/PV. 243: 8.

⁵⁸ ENDC/PV. 243: 8.

⁵⁹ ENDC/PV. 243: 10.

start in earnest on these matters.”⁶⁰ This question was complemented with a direct guiding query suggesting that the contract zone be broadened by coupling other collateral measures to a non-proliferation treaty.

The question might be pondered as to what extent an agreement on other measures ... such as a complete test ban ... and a cut-off of further production of nuclear weapon material ... might be related to the entry into force of a non-proliferation treaty?⁶¹

The Swedish delegation's use of such questions can be interpreted not only as a type of bargaining activity but also as a preparation for the establishment of the negotiation range and contract zone for the negotiations which were expected to follow the NPT negotiations.

The Swedish delegation also actualized the problem of defining non-proliferation: "... what exactly is going to be prohibited by a treaty on non-proliferation?"⁶² At the same time, Sweden attempted to probe the other parties' views on the different decisions which were assumed to precede the final decision to produce nuclear weapons: "Obviously the whole course of decisions should be mapped before we select the crucial point."⁶³ Here, the search activity was expressed in the form of a query designed as a tool of mediation and directed expressly at the Soviet Union and the United States.

Could a middle link be found on which the prohibitory regulation should most definitely be focused? Do the authors of the drafts envisage perhaps some splitting-up of the regulations so that, for instance, actual acquisition through transfer or manufacture of nuclear weapons would be the action prohibited while States were perhaps merely urged to refrain from preparations?⁶⁴

The "guiding" nature of the question seems apparent; a complementary strategic goal also seems to have been a search for a clearer delineation of the recipients' positions in vital areas of disagreement between the Soviet Union and the United States. These "position-seeking" ambitions were made explicit later in the text:

... we are as yet at a loss to understand precisely what the positions of the various parties are.⁶⁵

The document was concluded with a complementary description of the strategic goal which had spurred the Swedish delegation into taking such an initiative. Here it was maintained that the questions were used to stimulate a discussion which might "clarify further the positions of the delegations,

⁶⁰ ENDC/PV. 243: 10.

⁶¹ ENDC/PV. 243: 10.

⁶² ENDC/PV. 243: 10.

⁶³ ENDC/PV. 243: 11.

⁶⁴ ENDC/PV. 243: 12.

⁶⁵ ENDC/PV. 243: 12.

including in particular the delegations of the nuclear-weapon Powers.”⁶⁶

At the same time, it was argued that such a clarification was necessary in order to insure that the negotiations would continue on the basis of the two draft treaties, that is, within the provisional contract zone.

5.8.4. Attempts to influence the negotiation process by the use of search strategies

The following illustration exemplifies a Swedish initiative in which one strategic subgoal seems to have been to accelerate the bargaining process at the same time as an attempt was made to broaden the contract zone.

Would it not be appropriate, I might ask the delegations here, to aim at 1 July 1967, as the historic date when further additions to the stockpiles of nuclear weapon material would cease?⁶⁷

This example illustrates a persistent Swedish effort to combine the question of nuclear weapon proliferation with a comprehensive test ban and a collateral measure dealing with the issue of a cut-off on production of nuclear material for weapon purposes.

In the view of the Swedish delegation, those two measures continue to be closely linked with each other and with a non-proliferation treaty.⁶⁸

After the Swedish delegation had accepted the boundaries of the contract zone in the non-proliferation issue, it directed its search activities in the final stage of negotiation towards the existing draft treaties which, according to the analytical perspective used here, constituted the basis of this contract zone. Under these circumstances, the Swedish questions were characterized by a high degree of specificity and were hardly intended to initiate any larger changes or extensions in the boundaries of the contract zone: “... we must ask the author of the draft for some clarifications.”⁶⁹

The questions were probably formulated under the impression that the negotiations were approaching a final agreement situation even if the Swedish delegation apparently felt that marginal adjustments were still possible: “... we are still at a stage where we are negotiating on the best possible formulation of a treaty draft.”⁷⁰

It seems significant, however, that a party with partial mediation ambitions employed queries in an agreement situation in an effort to avoid a “reversal”

⁶⁶ ENDC/PV. 243 : 14.

⁶⁷ ENDC/PV. 281 : 4.

⁶⁸ ENDC/PV. 281 : 4. See also ENDC/PV. 256 : 8.

⁶⁹ ENDC/PV. 363 : 5.

⁷⁰ ENDC/PV. 363 : 4.

of the negotiation process, a development which might have jeopardized a final agreement.⁷¹

In this case, the questions dealt with "the problems of the treaty structure" and the major problem of control: "I also wish to raise some questions relating to article III on the controls."⁷²

These examples show that search activities characterized by a high degree of specificity were employed either after the contract zone had been established or while the zone was being established. In the final stage of the NPT negotiations, a member of the Swedish delegation stated that

The majority of my queries, and the most technical of them, refer to article III, on that crucial matter of controls.⁷³

5.8.5. Conclusions and comments

1. The empirical analysis seems to confirm the earlier assumptions regarding the role independence of search strategies. The search activities which have been studied here can be classified either as a type of bargaining behavior or as a kind of mediation behavior. In either case, the primary strategic goal seems to have been to reduce the degree of uncertainty (and thereby achieve a higher degree of progress). All the previous illustrations seem to indicate that the search for information and knowledge has either been the dominant Swedish strategic goal or at least a partial goal superordinate or subordinate to other strategic goals (persuasive goals, for example). It is thus conceivable that the Swedish delegation wished to conceal these other strategic goals by employing the query technique, a technique usually considered to be an operative element of an information-seeking strategy.

The degree of role independence seems to have varied from case to case. Certain situations were characterized by marked attempts to employ questions as a means of guiding the participants' attention toward a particular issue or complex of issues, while in other instances this technique was used less frequently. It seems reasonable to assume that in the cases in which guiding questions were frequently used, the recipients were able to identify more easily the strategic goals which had motivated the original search activities. And it can be assumed that the more marked the tendency to employ guiding questions in certain issue areas, the greater the possibilities became for the recipients to identify the initiator's strategic goals.

2. The questions employed by the Swedish delegation varied according to the extent of the problem area dealt with. For example, through the use of

⁷¹ ENDC/PV. 363 : 5.

⁷² ENDC/PV. 363 : 5.

⁷³ ENDC/PV. 363 : 8.

certain questions, the Swedish delegation did manage to prod the recipients into making commitments while other questions were used in an effort to achieve specific clarifications on particular, delimited issues. It could therefore be expected that the effects of these activities would make themselves felt at completely different time points. The increased use of questions designed to guide the participants' attention toward particular issue areas may have been one way to regulate this situation. The empirical material, however, offers no explicit indication that the Swedish delegation had calculated on different types of delayed effects. The far-reaching nature of certain questions seemed to indicate that the initiator expected the negotiations to be long and drawn-out.

Since the search activities directed at the Soviet Union and the United States were carried out in public, all the participants were directly able to monitor both the queries put to the recipients and the recipients' eventual responses. However, since these search activities actualized various types of problems demanding various kinds of consideration, it seems apparent that the recipients had to devote varying amounts of time to such deliberations before they could react.

3. As previously maintained, these search activities consisted of different types of measures combined in different ways. In the cases investigated here, the search activities were directed towards the primary parties in most instances, and it is remarkable that the Swedish delegation employed similar, sometimes identical, formulations in an effort to influence the individual parties' decision-making processes.

To the degree that they were used as tools of mediation, however, these queries presupposed different types of concessions from the mediation objects. To a certain extent, this situation illustrates a major difficulty involved with every effort aimed at compromising differing positions or standpoints related to substantive goals. Because reactions to such proposals cannot be synchronized and the timing of the responses seems to vary, it becomes difficult to follow-up the search activities. In the context of national security policy, it is difficult to measure how extensive any particular concession may be (for example, in the case of base and troop reduction mentioned above). There is reason to believe that search activities which actualize similar types of problems and elicit equal concessions may facilitate the initiator's estimate of the recipients' reactions. This circumstance might explain the similar or identical formulations of the questions which were directed towards the Soviet Union and the United States.

4. To a certain extent, it seems that the Swedish delegation recognized the risk for negative side-effects. Thus, the material which has been analyzed

here provides certain indications that the Swedish delegation attempted to carry out its search activities in such a way that any risk of provoking the recipients would be reduced to a minimum. It is conceivable, however, that Sweden intentionally tried to provoke the recipients into reacting in a way which would improve the general level of information for all the parties. The most common ways of neutralizing side-effects were the following:

- a) Selective searching was used to elicit only a special type of information.
- b) Guiding questions were employed in an effort to gain information and knowledge compatible with the initiator's strategic and substantive goals.
- c) Questions were combined with a definite line of argumentation in an attempt to eliminate diffuse and uncontrollable effects.
- d) The use of a combination of questions and proposals gave the search activities a significant degree of precision.

Since the analysis indicates that on certain occasions the Swedish delegation employed separate cohesive initiatives with varying characteristics, it seems apparent, however, that Sweden did not consider the risks for competition between measures (substrategies) or the negative effects of role ambiguity as all too serious. The formulation of disparate strategies can be seen partially as an indication that the Swedish delegation had differing strategic goals and partially as an effort to regulate and structure the information and knowledge which Sweden officially sought.

The empirical analysis also illustrates a major dilemma for a party using search strategies. The initiator attempts to avoid certain side-effects by complementing his searching with other types of activities (persuasive activities, for example). In such cases, his purpose may be to reduce the chance for uncontrollable effects which might result from the use of a type of strategy entailing certain inherent risks for just such uncontrollable consequences. At the same time, however, the risks for other side-effects increase since role ambiguity may occur. For example, the initiator's negotiation reputation may be damaged if such role ambiguity occurs in a situation in which the search activities are being used to prepare the way for the subsequent implementation of mediation efforts.

- 5. Search activities were employed in different types of situations. In the cases investigated here, they were used both in stalemate situations as well as in situations characterized by a greater degree of progress. In the former situation, however, the search activities seemed to be used in a more tentative and restrained manner than in other types of situations.

Chapter 6

Preventive Mediation

6.1. Introduction

In Chapter 1, the concept “preventive mediation” was introduced. This concept referred to a third party’s efforts to prevent disagreements from arising between other parties.

This type of mediation was also said to occur while the level of conflict was so low that disagreements had not become major obstacles to agreement. Finally, preventive mediation was defined as a future-oriented type of mediation. A more detailed and extensive analysis of preventive mediation will be presented in this chapter. Like all other types of mediation, preventive mediation is employed in order to prevent a breakdown in the negotiation process before a final agreement has been reached. In such cases, mediation intervention is initiated before any manifest obstacles to agreement in the form of disagreement between potential mediation objects have occurred. The concept “preventive mediation” can be studied in light of the expression “preventive diplomacy,” which usually is associated with a particular UN strategy designed as a method for achieving peaceful settlement introduced by Dag Hammarskjöld.

Hammarskjöld argued that preventive diplomacy should be initiated in the early stages of a conflict before the dispute had become an object of the cold war struggle:

Those efforts must aim at keeping newly arising conflicts outside the sphere of bloc differences. Further, in the case of conflicts on the margin of, or inside, the sphere of bloc differences, the United Nations should seek to bring such conflicts out of this sphere¹

¹ Foote, 1962: 302 f. Cf. also pp. 133, 206, 210.

Claude, 1964: 285 ff: The term “preventive diplomacy” does not exist in the UN Charter. Plano-Olton, 1969: 303, 311; Zacher, 1970: 68.

This statement seems to be based on the assumption that when great power conflicts have already occurred, the UN's ability to act is limited.² Similarly, it can be supposed that a secondary party with mediation ambitions may find it advantageous to initiate mediation efforts before disagreements between primary parties have arisen.³ In this case, the major difference between preventive mediation and preventive diplomacy is that a mediator in a negotiation probably attempts to act before disagreement has occurred, that is, before "an area of conflict" has developed.

The present chapter has been structured in the following way: The meaning of the concept "preventive mediation" as a special variant of mediation will be discussed in the first section of the chapter, followed in subsequent sections by examples of Sweden's use of preventive mediation strategies in ENDC. Special attention will be given to the following preventive Swedish mediation efforts:

Swedish attempts to influence the level of politicization (including, in this context, the Swedish attitude towards certain strategic evaluations highly salient to mediation efforts and Swedish efforts to influence other parties' strategic evaluation systems);

Swedish attempts to improve the parties' information and knowledge concerning phenomena which are fundamental in terms of reaching agreement; and Swedish efforts to influence the parties' decision-making processes in such a way as to prevent a breakdown of the joint decision-making process.

In this review, special attention will be given to the mediator's efforts to adapt to as well as change the structure of the negotiation milieu, the characteristics of the negotiatory situation, and the development of the negotiation process.

6.2. The Characteristics of Preventive Mediation

The concept preventive mediation suggests passivity in the sense that "preventive" has a defensive, prohibitive connotation, but it should also be emphasized that preventive mediation is also characterized by an offensive, active element since such mediation can create preconditions favorable to the development of the negotiation process. To a certain extent, such a result can be seen as a positive side-effect.

The strategic goal of preventive mediation can be described in the following way: Preventive mediation is designed to prevent obstacles to agreement from arising which might preclude the achievement of an agreement. Preventive mediation encompasses several substrategies which can, however, be classi-

² Claude, 1964 : 286.

³ *Some Aspects of Mediation*, 1970 : 17.

fied under overarching strategic goals such as, for example, the synchronization of the decision-making processes of parties who seem to display a potential for mutual disagreement.

Preventive mediation can be used to moderate or adjust conceivable future disagreements between participants in accordance with the mediator's prognosis. The effectiveness of preventive mediation is partially conditioned by the degree of uncertainty about the future characteristics of the negotiatory situation. It seems reasonable to assume that preventive mediation is more often designed to influence attitudes and values rather than actual behavior.

Since preventive mediation takes place before obstacles to agreement have arisen, it seems reasonable to assume that preventive mediation efforts are primarily employed in situations where the potential mediation objects have not yet established negotiatory positions tied to definite commitments. The mediator's purpose is to prevent parties from taking positions which create obstacles to agreement. As mentioned above, non-preventive "acute" mediation refers to efforts to facilitate a solution of previously existing problems (such as when a mediator intervenes in a stalemate situation, for example). By employing preventive mediation, the initiator attempts to prevent the negotiation process from developing in a way which might preclude the achievement of agreement.

The difficulties involved in making a distinction between acute mediation and preventive mediation are significant.

Indeed, there is no natural cut-off point for the range of activities that might be comprehended under preventive mediation.⁴

Accordingly, it is difficult to distinguish between acute mediation and preventive mediation in a negotiatory situation characterized by a weak tendency towards stalemate and marginal disagreement between mediation objects. Preventive mediation can consist of efforts to avert stalemate situations which might tend to arise, and acute mediation — in the same negotiatory situation — may consist of attempts to neutralize the partial problems which already have occurred.

It is difficult to classify an initiative as solely a preventive mediation effort since it is hard to distinguish preventive from acute mediation. One of the factors contributing to this problem seems to be that preventive mediation initiatives often appear to be based on unofficial prognoses, even if the initiator usually motivates his actions and justifies his intervention. And since the mediator's intervention is aimed at potential, as yet unclear obstacles to agreement, the observer's task of classifying the mediation efforts according to type is further complicated.

The following differences between preventive mediation and acute media-

⁴ Stevens, 1967:274. The concept "acute mediation" is similar to Steven's concept "dispute mediation."

tion seem to be worth emphasizing and should be seen as constituting provisional boundaries between acute and preventive mediation.

1. The mediator intervenes with preventive mediation in problem areas related to issues in which the potential mediation objects still have not restricted their freedom of action through formal commitments or taken incompatible negotiatory positions. That is, the mediator intervenes before explicit disagreements of a serious nature have arisen. In contrast, when the mediator intervenes with acute mediation, an observable controversy between mediation objects usually exists.
2. The mediator intervenes with preventive mediation efforts in technical issues which, based on his experience, usually seem to cause parties to take diverging standpoints and positions. In a disarmament context, the continually recurring problems of verification and control are examples of this situation. As noted earlier, a mediator's ability to identify potential obstacles to agreement increases in an extended negotiation.
3. Actor-centered disagreements may occur, however, which are not characterized by stalemated positions and in which a certain flexibility and propensity to make concessions can be discerned. In such negotiatory situations, in the frontier between agreement and non-agreement situations, the boundary between acute and preventive mediation is diffuse.

In addition, preventive mediation can be employed in areas of known disagreement which have not as yet become controversial issues in the present negotiations but which the mediator perhaps recognizes from previous negotiations dealing with similar problems.

When controversial questions become the focus of the mediation objects' attention and thereby become major obstacles to agreement, the use of acute mediation becomes relevant.

In stalemate situations caused by actor-centered obstacles to agreement, all mediation initiatives should be seen as acute mediation.

As a qualification to these three categories, it ought to be noted that preventive mediation efforts normally seem to be undertaken in negotiatory situations characterized by a relatively high degree of uncertainty. The boundaries of the problem areas in which preventive mediation is initiated are more ambiguous than in the case of acute mediation. Search strategies, preventive mediation, and acute mediation may be related to each other in the following way: With the help of search strategies, the mediator investigates the need for preventive mediation efforts. Through preventive mediation, the mediator intervenes in problem areas which might conceivably become actor-centered obstacles to agreement. Finally, the mediator intervenes with acute mediation after actor-centered obstacles to agreement, that is, disagreements between the parties, have arisen. In this case, the negotiations risk degenerating into a stalemate situation. As noted in Chapter 5, search

strategies may naturally even be initiated in stalemate situations in an effort to determine the nature of the obstacles to agreement which have led to the stalemate.

To a certain extent, it also seems difficult to maintain distinctions between preparatory activities for future mediation proposals and preventive mediation. Propaganda emphasizing the value of compromise can be designed as a preparation for future mediation proposals. But the use of such propaganda can also be motivated by a desire to achieve the general, preventive mediation goal of persuading the parties to accept mechanisms for conflict resolution which can be implemented to neutralize any disagreements which may be expected to arise.

Preventive mediation according to the terminology of this study seems to coincide with Kerr's definition of strategic mediation:

'Strategical' mediation consists, instead, of the structuring of the situation itself, of the creation of a favorable environment within which the parties interact Strategical mediation aims instead at reducing the incidence of conflict and channeling it along nondestructive lines of development.⁵

In summary, as previously noted in Chapter 1, preventive mediation differs from acute mediation in the sense that the former defines a type of strategy constituting a plan for how obstacles to agreement (disagreements, for example) and stalemate situations can be prevented from occurring.

6.3. Different Types of Activities Related to Preventive Mediation

In the subsequent analysis, the following activities will be considered as examples of preventive mediation efforts:

The mediator attempts to coordinate the standpoints and positions of the parties in order to prevent disagreements from arising which could lead to a stalemate situation or a discontinuance of the negotiations.

The mediator attempts to coordinate the parties' definitions of the situation in order to avoid disagreements caused by differences in these definitions. This type of activity describes one of several possible ways of coordinating the parties' decision-making processes into a joint decision-making process.

The mediator uses persuasive strategies (here referred to as a preventive mediation substrategy) such as, for instance, open argumentation designed to influence potential mediation objects. Argumentation may be used in an effort to convince the recipients to deal with problems and partial questions amenable to solution so that more complicated questions can be subsequently handled with greater confidence. As will be shown later, argumentation can

⁵ Kerr, 1954: 236.

also be employed in an effort to persuade other parties to refrain from attempts to solve certain problems. Particularly interesting are the mediator's efforts, through the use of argumentation, to influence both the recipients' choice of different alternative courses of action and their evaluation of the consequences of those alternatives.

Preventive mediation differs most strikingly from bargaining strategies in the sense that the mediator's actions are intended to synchronize different parties' decision-making processes and that the conditioning of a party's decision-making process is intentionally undertaken in an effort to fulfill this need for synchronization.

Engaging in persuasive activities favoring strategic evaluations which can be expected to facilitate the joint decision-making process may be interpreted as a technique of preventive mediation. This kind of strategy can be used both in an effort to prevent the acceptance of strategic evaluations which might preclude agreement and in an attempt to persuade the recipients to accept strategic evaluations which would facilitate agreement. In the following analysis, particular attention will be given to those strategies which can be effectively used as tools of mediation. Certain strategic evaluations may be cited as support for strategies other than mediation-oriented strategies. This seems to be true in the case of "precedent evaluations," for example. Such evaluations may be powerful mediation tools, especially in situations where their use can stabilize standpoints amenable to compromise. Obviously, the precedent principle may also be cited in connection with the use of either bargaining strategies or acute mediation.

As mentioned earlier, the mediator's synchronization problem has a major impact on the level of effectiveness of his mediation efforts. Working on the basis of limited information, the mediator may intervene in one party's decision-making process through the use of activities specifically designed with that party's resources, goals, and strategic evaluations in mind. At the same time, however, these activities may negatively affect other parties' planning or decision-making.

Inadequate knowledge of which stage of the negotiation process other parties find themselves in at any given time contributes to the atmosphere of uncertainty surrounding mediation efforts. If the mediator assumes that the recipient has entered a phase of his decision making process in which he must evaluate the consequences of a number of alternative courses of action, then the mediator's behavior will be influenced by such an assumption. The mediator can influence this recipient by persuading him to become interested in certain alternative courses of action or by attempting to discredit other alternatives. At the same time, however, another party may have entered another phase of the decision-making process and thus experience the mediation activity as disruptive. It is therefore important to investigate whether the argumentation is directed towards a particular recipient or group of

recipients (either by name or in some other clearly identifiable way).

Regarding the mediator's efforts to exercise preventive mediation through the conditioning of other parties' decision-making processes, the following points should be considered in connection with an analysis of the mediator's introduction of new information and knowledge, earlier referred to as information-giving.

The mediator can attempt to alter the number of alternative courses of action through "knowledge innovation" and thereby restructure the current decisional premises available to the parties. For example, the mediator may introduce information concerning the practical difficulties associated with various types of solutions and in this way indirectly recommend the adoption of certain courses of action to the recipient. The mediator may advocate the acceptance of particular alternative courses of action which he considers to be non-controversial and in this way attempt to influence the recipient's interpretation of which alternatives favor the joint decision-making process.

An interesting strategic variant of preventive mediation is illustrated by the case in which one party has already taken a position on a particular issue. Here, the mediator may try to prevent another party from taking any position on the same question in order to avoid emphasizing any disagreement which might thereby possibly arise. The mediator may also attempt to prevent the occurrence of a stalemate situation by trying to prevent a party from replacing provisional commitments by formal commitments.⁶ Conversely, a mediator may attempt to hasten commitments which are compatible with his interpretation of a final agreement acceptable to the parties involved.

The mediator can introduce new information for the purpose of delaying a party from taking a position which the mediator believes cannot facilitate the achievement of agreement. The mediator may release information which reinforces a particular line of argumentation. This type of mediation strategy seems to be particularly effective when the mediation objects do not seem to be intensely committed to their standpoints. In order to prevent a recipient from committing himself prematurely, the mediator may introduce new knowledge by information-giving in an effort to get the recipient to consider the appropriateness of binding his freedom of action before the new information has been digested.

In agreement situations, preventive mediation may consist of efforts to prevent the negotiations from reverting to earlier, perhaps unproductive, fruitless negotiatory situations. For instance, the mediator may attempt to prevent the parties from abandoning positions which might facilitate the achievement of agreement. The mediator might do this, for example, by

⁶ Stevens, 1967:277: "It is sometimes suggested that it is useful for the mediator to offer his services before the contending positions have become firm."

reminding the parties of their positions, that is, by citing the strategic principle of continuity. In addition, the mediator can produce new resources in an effort to neutralize technical obstacles to agreement.

The use of information-giving and knowledge-giving can easily be classified as a technique of preventive mediation but also should be seen as role-independent to a relatively great extent.

Preventive mediation seems to be designed on the basis of the mediator's prognoses regarding, for example, the obstacles to agreement which might possibly arise. In general, preventive mediation seems to place significant demands on the mediator's ability to prognosticate. In addition, the effectiveness of preventive mediation seems to depend on the mediator's ability to discern areas of latent disagreement between the parties.

6.4. Preventive Mediation and the Negotiation Milieu

The impact of the negotiation milieu on the mediation process was discussed in Chapter 2, and the conclusions drawn there also seem to apply to an analysis of the part played by the negotiation milieu in preventive mediation. The following points, however, should be especially emphasized.

The length of the negotiations seems to be particularly significant when the mediator is considering the initiation of preventive mediation efforts such as, for example, attempts to avoid obstacles to agreement through information-giving. Improved information increases the parties' ability to neutralize or avoid certain obstacles to agreement. If his prognosis indicates that the negotiations are going to be extended, it may be worthwhile for the mediator to recommend time-consuming investigations in an effort to improve the parties' information and knowledge.

A relatively high degree of publicity means that official preventive mediation efforts can be cited during subsequent acute mediation. It is therefore conceivable that the recipients are more inclined to consider carefully these preventive mediation efforts in response to the pressure of opinion from other participants.

A large number of participants complicates the mediator's prognoses. It becomes more difficult for the mediator to foresee obstacles to agreement (disagreements between parties, for example) in a multilateral negotiation. This is a significant circumstance since the effectiveness of preventive mediation depends to a great extent on the quality of the mediator's prognoses.

6.5. Preventive Mediation and the Level of Politicization

A "politicized" question refers to a question which has become a matter of contention between or within different political groupings in different political milieux. To *politicize* a question means to act in a way (such as introduc-

ing demands and standpoints, for instance) which can be expected to contribute to a political controversy. In a negotiatory context, politicized questions primarily refer to issues which have become a matter of dispute between parties. In such cases, more or less overt obstacles to agreement exist in the form of disagreements. To depoliticize an issue refers to a party's efforts to reduce or neutralize the controversial aspects of the question. In a national political milieu, politicization can take place in a parliament, the electorate, or between political parties.⁷ (Politicization can, however, take place within as well as between parties.) Similarly, politicization also takes place in an international milieu and, in this study, emanates from the various disarmament delegations.

In addition to attempts to politicize or depoliticize certain issues in the negotiations, it is also possible that a party may attempt to avoid a politicization of a particular question if, for example, it is anticipated that a politicization of the issue would hinder the achievement of a desired agreement. Such a maneuver might be a conceivable strategy for a participant who, through the use of preventive mediation, wishes to prevent marked disagreements from arising between other parties. The following analysis will focus primarily on the latter variant, that is, the avoidance of politicization, but some attention will even be given to depoliticization of questions which tend to lead to disagreement between the parties.

It seems reasonable to assume that a party wishing to politicize an issue has a certain potential to regulate independently the level of politicization even if the difficulties involved in judging the recipients' reactions contribute to a significant degree of uncertainty in this respect. The politicizing party's efforts to regulate the level of politicization can mean that measures designed to politicize an issue are combined with expressed reservations and that any demands made on other parties are formulated in a conditional manner. A party may perhaps seek to create a low level of politicization so that any subsequent reversion to a depoliticized situation can more easily be effected. The strategy of politicization should be seen as a tool designed and used to guide the development of the negotiation process in a direction favorable to the politicizing party's interests. The strategy of politicization is relevant to this study primarily because it is a means of regulating the level of disagreement between parties, that is, a way of controlling the level of controversy characterizing the negotiations.

The purpose of attempting to politicize, depoliticize, or avoid a politicization of an issue seems to vary from one negotiatory situation to another. The dominant strategic goal can be to gain a certain degree of influence over the development of opinion or to attempt to solve a particular problem. Here,

⁷ See Molin, 1965: 141 f.; and Sjöblom, 1968: 113, 122. The authors use the term politicization in their analyses of political parties.

one can speak of either an opinion orientation or problem orientation motivating a party's efforts to regulate the level of politicization. The primary objective in the latter case is to gain influence in a particular substantive issue area, not to win general opinion support. Efforts to win opinion support should be seen as a party's attempt to gain more effective means with which to reach his primary goal. A problem-oriented attitude does not, however, exclude the possibility that there exists a secondary interest in winning opinion support from other participants (or from "world opinion," "UN opinion," etc.).

As argued in connection with the analysis of politicization among political parties, acquisition of opinion support in different milieux can be an independent goal.⁸

An opinion-oriented attitude can be said to exist when activities are primarily directed towards gaining opinion support. In a negotiatory context, an opinion-oriented attitude may manifest itself, for example, in attempts by one party to win opinion support from actors outside of the negotiations through the use of persuasive strategies.⁹

The strategic goal motivating efforts to raise the level of politicization can be to broaden the current negotiation range or contract zone in a situation where other parties attempt to achieve a negotiatory result without sufficiently considering the politicizing party's desires.

In a negotiatory context, both politicizing and depoliticizing activities can be related to a party's use of information-giving strategies either as tools of mediation or bargaining.

Releasing information concerning practical solutions can be an attempt to politicize a particular issue. For example, a party may reveal previously unknown facts or scientific innovations which reduce the level of controversy characterizing the negotiations and thereby contribute to a depoliticization of the issue in dispute. In a similar fashion, a party playing a bargaining role may politicize the negotiations by revealing information on actual conditions which the recipient has perhaps previously refused to recognize and in this way demonstrate that the recipient's lack of flexibility is unreasonable. The common denominator in both these cases is an effort to improve the recipient's knowledge or, alternatively, to "reveal" actual conditions in order to seek support for a certain line of argumentation.

Although he may, for bargaining purposes, feel it necessary that certain questions be given consideration, a party seeking agreement may be hesitant or reluctant to attempt to raise the level of politicization since such efforts can increase the possibility that a stalemate situation may arise. The party's resolve to persuade a recipient to meet his demands seems to vary. It is

⁸ Sjöblom, 1967: 101.

⁹ On negotiation for propaganda purposes, see Iklé, 1964: 52.

conceivable that the party makes demands merely for the purpose of improving the prospect for agreement in another issue area. In this case, through politicization, the initiator seeks to increase the possibilities for a compromise solution. In addition, a party may be reluctant to attempt to depoliticize a question or to avoid the politicization of an issue since the risks thereby increase that the issue may eventually be excluded from the contract zone. The advantages of temporarily avoiding a disagreement must be weighed against the risk of the issue becoming permanently depoliticized and thereby remaining unsolved (by being buried in a protracted investigation, for example). The conceivable effects of preventive mediation will be briefly touched on below.

6.6. Conceivable Effects of Preventive Mediation

Preventive mediation actualizes or directs attention towards potential obstacles to agreement which other parties have not discerned and which, if they had not been discovered, would not have been transformed from potential hindrances to actual, manifest obstacles to agreement. (—)

Certain types of preventive mediation impede the neutralization of certain obstacles to agreement. Such obstacles may thus accumulate and thereby become more formidable in the future. (—)

Preventive mediation does not test the recipients' prestige, and retreats from commitments are not as common as in the case of acute mediation. (+)

The element of inertia in the negotiation process decreases since fewer obstacles to agreement arise. (+)

6.7. ENDC and Preventive Mediation

6.7.1. Swedish attempts to regulate the level of politicization

As previously noted, the participants in ENDC became increasingly interested in collateral measures as the conference progressed. The parties found it more effective to limit the subject matter of the negotiations to smaller problems instead of dealing with general and complete disarmament. Sweden supported this approach, viewing it as a positive development for the neutral states.

To some of us the collateral measures also have value in providing more opportunities for the non-aligned nations... to be active in the disarmament negotiation, to make proposals, even to participate in some actual disarmament measures...¹⁰

¹⁰ Myrdal, 1964: 157.

The Swedish disarmament delegation actively contributed to this development in the course of the negotiations, particularly during the test ban negotiations from 1962 to 1963:

...it would give a kind of discipline to our deliberations if we really decided to keep to one point for a considerable time until it was exhausted; we should be free from temptation to go off at tangents in all kinds of directions.¹¹

Sweden recommended that the participants prioritize a limited, pragmatic approach in confronting the problems of disarmament.

...I submit that we should move forward following a very simple pragmatic guide-line: that is, trying to reach agreement first on whatever is easiest to achieve.¹²

According to the Swedish view, the participation of neutral, non-nuclear weapon states meant that the level of politicization could be regulated in a way which would facilitate the negotiation process. The Swedish policy of non-alignment has, in general, been claimed to have a great impact on Sweden's potential for playing an active part in the disarmament issue.¹³ Alva Myrdal has particularly emphasized the special role which the non aligned states might play in the resolution of the control issue.

The opportunities for non-aligned initiatives would seem to be particularly great in relation to questions of control.¹⁴

The Swedish delegation's attitude towards the level of politicization in the ENDC negotiations varied with the role which Sweden chose to play. In a bargaining role, Sweden attempted on several occasions to politicize certain questions in an effort to persuade the other participants to include particular collateral measures in a more comprehensive agreement.¹⁵ This meant that Sweden consciously took the risk of stimulating the growth of obstacles to agreement since certain Swedish bargaining proposals and demands were considered by the primary parties to lie outside their interpretation of the contract zone. The primary and secondary parties in ENDC had diverging substantive goals. Thus, as noted earlier, Sweden argued that ENDC, while negotiating the question of a non-proliferation treaty, also ought to deal with the issues of a comprehensive test ban treaty and a halt in the production of nuclear material for weapon purposes, even if such an objective would probably have increased the risks for disagreement.

¹¹ ENDC/PV. 59: 21.

¹² ENDC/PV. 160: 21.

¹³ See Chapter 1 (1.3.6.4.).

¹⁴ On the significance of neutral participants, see Myrdal, 1964: 157. Cf. Iklé, 1964: 205. Iklé argues that the presence of neutral participants in ENDC increased the level of objectivity in the negotiations.

¹⁵ ENDC/PV. 281: 8. For the Swedish view, see Myrdal, 1964: 162. Cf. also Swedish statements in the UN General Assembly, A/C. 1/PV. 1457.

By demanding mutual concessions from the participating nuclear weapon powers, Sweden raised the level of politicization in certain negotiatory situations. This politicization can most appropriately be described as a politicization of opinion. Its purpose was in all probability to broaden the contract zone within the framework of the established negotiation range in accordance with Sweden's view of the prerequisites for a satisfactory negotiatory outcome.

Attempts to politicize an issue in a negotiation brings into question the boundaries of either the contract zone or the negotiation range. (In the latter case, this means that the issue has never previously been actualized as a party's substantive goal.) For example, by suggesting parallel negotiations concerning several issue areas, the Swedish delegation attempted to alter the prerequisites for reaching compromise solutions, an effort designed to affect the very basis of a final agreement. It may be recalled in this context that even before ENDC started, Sweden had proposed the creation of a European nuclear-weapon-free zone, the Undén Plan, before the UN.¹⁶ This plan was proposed in an attempt to politicize the then stagnant discussion on nuclear weapons. Sweden was dissatisfied with this seemingly permanent lack of results and the nuclear powers' reluctance to alter the *status quo*. By presenting the Undén Plan, in which the issue of nuclear weapon dissemination was actualized, Sweden added a controversial element to the debate on nuclear weapons and arms control.¹⁷ Since the primary purpose, according to official statements, was to mobilize opinion against the superpowers, this attempt at politicization ought to be labeled opinion-oriented politicization: "The purpose is to try to break the stalemate in the disarmament issue by mobilizing the opinion of the smaller states."¹⁸

Because the primary parties apparently preferred an isolated non-proliferation treaty, Sweden accentuated or introduced a controversial element into the negotiations by proposing the adoption of package solutions.¹⁹

In the following analysis, which will focus on Sweden's actions as an unauthorized mediator, a pattern of politicization different from the one described above will be discussed. The Swedish government occasionally recommend-

¹⁶ *United Nations Resolution 1664* (XVI). Undén, 1963:136 ff.

¹⁷ Martin-Young, 1965:107 ff. Cf. Myrdal, 1966:10. *Dissemination* is said to occur when a nuclear power furnishes a previously non-nuclear nation with either operational nuclear weapons whose use the recipient can independently control, or technical, scientific, and material aid which can be employed in the production of nuclear weapons. The term dissemination is also used to refer to the right of co-determination in a decision-making process controlling the use of nuclear weapons. This phenomenon has primarily gained attention in connection with the Soviet Union's fear that the United States will allow West Germany a certain degree of independent control over German-based nuclear weapons.

¹⁸ Statement by Prime Minister Tage Erlander, *Utrikesfrågor*, 1961: 45. Cf. also *Utrikesfrågor*, 1962: 26 f.

¹⁹ See, for example, ENDC/PV. 279: 5.

ed a depoliticization of certain negotiation issues by suggesting a distinction between "technical" and "political" questions.

Concerning the control problem... there ought to be a place for technical investigations of individual issue areas which the commission defines as suitable for such special treatment. Technical investigations might perhaps be designed to depoliticize certain disputed issues to a certain extent.²⁰

It is, however, unclear what the Swedish government seems to have meant by such statements. As has been indicated in the analysis of search strategies, Sweden was interested in facilitating a political solution of the control problem.²¹ The Swedish delegation saw the control issue as partially a technical, nonpolitical problem constituting a potential obstacle to agreement which demanded a solution in order to prevent more permanent disagreements from developing.

This view was repeated even after a partial test ban treaty had been signed in Moscow (1963) in connection with efforts to establish a comprehensive test ban treaty. In a joint memorandum from the non-aligned nations in 1964, the issue of control was again cited as a significant obstacle impeding the achievement of an agreement on a comprehensive test ban. The nuclear weapon powers were urged to seek a nonpolitical solution to this problem.

Such steps could... be facilitated by the exchange of scientific and other information between the nuclear Powers or by the improvement of detection and identification techniques if necessary.²²

The Swedish delegation motivated its proposal for a temporary depoliticization of the control issue by referring to the generally positive experience from supranational cooperation in the area of scientific research.

Scientists have shown a remarkable ability to cooperate across all national and ideological frontiers and to find out the scientifically objective truth even in cases where the basic material has been incomplete or pre-arranged.²³

Another motive was the view that technical preparatory work of a scientific nature would provide political decision-makers with necessary decisional premises. Sweden therefore argued against the thesis that such a procedure was meaningless because it could not be politically controlled.

Thus the Swedish delegation finds it of paramount importance that we dig into technical subjects so that we know the answers when our political leaders feel that they can accept advice and conclusions from the Eighteen-Nation Disarmament Conference.²⁴

²⁰ AK, 1962: 11: 23.

²¹ ENDC/PV. 13:47. Cf. note 31 and 32 in Chapter 5.

²² ENDC/145:2.

²³ ENDC/PV. 84: 22.

²⁴ ENDC/PV. 154: 18.

The Swedish delegation maintained its interest in technical solutions of different problems during the entire course of the conference. The view that technical and political problems were interdependently related was clearly underscored.

It has been said here that it is not very useful to waste time on technical studies if there is not the political will to accept the findings and perhaps not even the political will to study the subject. With that view I should like to differ respectfully but firmly . . . It is the long, slow, grinding work of people like the representatives here and our technical advisers which in a way made, for example, the Moscow test ban treaty possible.²⁵

It proved to be quite difficult, however, to distinguish between "technical" and "political" elements in a negotiatory context. For example, if the primary parties are at odds over a solution to a technical problem, it is only a matter of definition whether the issue should be considered a political or technical obstacle to agreement. An observer may describe a problem in different ways depending upon the time perspective from which the issue is analyzed. And the Swedish delegation noted that the ENDC participants subsequently developed a certain skepticism towards a "technical" approach.

I am fully aware of the misgiving of several delegations as soon as the question of some more technical exploration is as much as hinted at.²⁶

This last statement was made in the context of the Swedish delegation's argument that increased attention ought to have been given to the possibilities of discovering underground tests with the help of seismological methods. In spite of this insight, however, Sweden still attempted to isolate technical obstacles to agreement from the political difficulties involved in particular issues.

To ensure that no inroads are made on the political issues, I would suggest that technical talks between our delegations should not even deal with verification problems but merely with one or two items, narrowly circumscribed, belonging to sheer 'mechanics.'²⁷

It seems clear that the Swedish delegation, at least during the ENDC negotiations preceding the Moscow agreement on a partial test ban treaty, distinguished between a technical, practical dimension and a political dimension of the control issue. The Swedish view seems to have been that by resolving technical problems, political problems (concerning above all disagreement over the solution of certain technical problems) would also be resolved to a great extent. Coordinating the parties' positions on the control issue became one of Sweden's major tasks as a mediator.

²⁵ ENDC/PV. 154: 18.

²⁶ ENDC/PV. 222: 21.

²⁷ ENDC/PV. 222: 21.

The Swedish delegation attempted to avoid a politicization of questions about which disagreement might conceivably arise and maintained that "We should select items in areas where we already have agreement in principle" ²⁸

It seems reasonable to interpret such activities as a form of preventive mediation. By suggesting that the parties attempt to overcome what was seen as technical obstacles to agreement, the Swedish delegation hoped that disagreements of a political character could be avoided.

All the parties were, however, aware that the primary parties were reluctant to negotiate about a comprehensive test ban treaty, and it is possible that the Swedish activities reflected a strategy designed to show that the primary parties' opposition to a comprehensive test ban treaty was based more on military and political considerations than on technical difficulties in the area of control. In this context it should also be noted that in those cases in which the Swedish delegation defined the negotiatory situation as one of stalemate, and thus, when the use of preventive mediation was not contemplated, efforts to increase the level of politicization were avoided.

Before developing our ideas in detail, I would like to stress that our point of departure is to look for an item which, on the one hand, is important . . . and on the other hand, is as uncontroversial as possible. ²⁹

The connection between a low level of politicization and the dynamics of the acceptability principle is indicated by the remarks concluding the statement cited above: "...our intention is to make a proposal which . . . we hope would be acceptable to both parties and all delegations." ³⁰

6.7.2. ENDC and Swedish attempts to influence other parties' strategic evaluation systems

The following section will focus on a discussion of those strategic evaluations which were cited in the negotiations and, above all, the mediator's efforts to influence the recipients' strategic evaluation systems. It should be noted, however, that Sweden could influence the recipients in at least two different ways in this respect. First, the recipients could be urged to let themselves be guided by certain specific strategic evaluations. Second, a party might himself, in the role of a mediator or in other roles (a bargaining role, for instance), act as a good example and thereby claim that his own strategic behavior was the consequence of an attempt to follow certain strategic principles.

²⁸ ENDC/PV. 222 : 21.

²⁹ ENDC/C.I/PV. 6 : 35.

³⁰ ENDC/C.I/PV 6 : 36.

1. The mediator may attempt to counteract, neutralize, or moderate certain strategic evaluations which are considered unfavorable from a mediator's perspective. Evaluations expressed by such phrases as "never retreat from commitments," or "never make commitments," that is, evaluations of the continuity type, are negative from the mediator's perspective since they impede compromise between parties. The continuity factor confronts the mediator with a dilemma. On one hand, the mediator is interested in the stability of the parties' standpoints and positions since such stability facilitates the demarcation of a suitable compromise area. On the other hand, the mediator also hopes that his mediation objects cultivate strategic evaluations expressed in such phrases as "flexibility is a virtue," or "in order to achieve agreements, everyone must make concessions," etc. To succeed in his task, the mediator must demand that the mediation objects change their standpoints and positions. If the mediator urges a party not to abandon established standpoints and positions, the mediator may risk increasing the inertia of the negotiation process. This, in turn, can result in delayed negative side-effects in later stages of the negotiation when the mediator wishes that the parties would display a more flexible attitude towards, for example, any compromise proposals which he may have presented.
2. The mediator can advocate certain strategic evaluations which might facilitate his mediation efforts. For the time being, it will be assumed that the mediator is primarily interested in advocating the *acceptability principle* and in emphasizing how positive and necessary it is to be prepared to make concessions, that is, to have a positive attitude towards compromise.

6.7.2.1. *Sweden's attitude towards the principle of acceptability*

Previously in the analysis, the strategic significance of the acceptability principle has been mentioned on several occasions. In conjunction with Swedish initiatives and reactions to the initiatives of others, the acceptability principle was referred to as a desirable strategic principle, and one by which the Swedish delegation was apparently prepared to let itself be guided.

As a participant in the disarmament negotiations in Geneva, Sweden is naturally ready to contribute in a constructive way, so that the final treaty proposal will be effective and acceptable to the greatest number of States.³¹

In foreign policy declarations, the Swedish government developed its view of the strategic evaluations which ought to guide Swedish mediation

³¹ ENDC/PV. 325:19. Here, the delegation cited a public declaration made by the Swedish government in reaction to similar NPT drafts from the Soviet Union and the United States.

efforts. In connection with a report on the NPT negotiations in Geneva, it was stated that

In this case, our efforts must be designed to make the contents and formulations of a treaty acceptable for as large a number of states as possible.³²

There seems to be a connection between the Swedish view of the acceptability principle and the Swedish delegation's evaluation of attitudes favorable to compromise which is most clearly expressed, for example, in Swedish argumentation urging the participants to develop a greater propensity to make concessions. This connection can be illustrated with examples from ENDC and Swedish statements containing demands for or stipulating the characteristics of effective compromise. In the final stage of the NPT negotiations, the Swedish delegation intervened in a situation in which the Soviet Union and the United States had presented similarly formulated NPT drafts but had excluded the article on control procedures. In this instance (disregarding here the proposed Swedish control article which was submitted), the Swedish delegation announced that Sweden would continue preventive mediation efforts.

I can assure the Committee, however, that our main preoccupation now and in the coming weeks will be to endeavour to contribute to the achievement of such compromises as may prove necessary in order to make the treaty acceptable to as many as possible of the States which are important in this connexion.³³

It was not made clear, however, who was to compromise with whom. But further on in the text, the demand for "... more binding obligations on the main Powers ...," was once again actualized.³⁴ Such a demand probably should be interpreted to mean that concessions were expected from both the nuclear states on the one hand and the group of non-nuclear states on the other.

It seems reasonable to assume that mediation processes become increasingly complicated if the interpretation of the acceptability principle can be stretched so far as to stipulate the adoption of a compromise procedure including recipients or interested actors who are not official parties to the formal negotiations.

6.7.2.2. *Sweden's attitude towards compromise*

The Swedish attitude during the entire course of the conference was that agreements could not be achieved unless certain parties involved in a dispute

³² AK, 1967: 12: 8.

³³ ENDC/PV. 327: 9. See also ENDC/PV. 335. Note that here as well as in some of the following citations, the word "compromise" is used to express what has been defined in this study as a "compromise solution."

³⁴ ENDC/PV. 327: 9.

displayed a propensity to compromise and make concessions. As previously noted, the Swedish delegation argued, sometimes by referring to world opinion, that the primary parties bore the major responsibility for reaching agreements in the negotiation.

Compromises can never be reached without concessions and sacrifices on both sides Seen against the frightening alternative of no agreement at all, the remaining differences must seem so small that it will be difficult for the nuclear Powers to explain to world opinion why they cannot agree.³⁵

The Swedish delegation's preventive mediation efforts were occasionally prefaced by statements emphasizing the need for a tentative, flexible attitude and claiming that the Swedish delegation itself was willing to display an openness for change in its own proposals.

If some discussions were begun on the various compromise suggestions proffered, we ourselves should be more than willing to help by bringing in modifications of our own suggestions which have been highly tentative from the outset.³⁶

6.7.3. Preventive mediation and information-giving strategies in ENDC

The analysis in this section will focus on Swedish attempts, by supplying information, to prevent the occurrence of stalemate situations caused by a lack of information and knowledge. The strategic goal motivating such activities can be characterized as a desire to influence the recipients' decision-making processes by altering their view of the possibilities of overcoming obstacles to agreement which have already arisen or which might possibly arise. Special attention will be given to Swedish efforts designed to neutralize obstacles which were considered to be of a technical nature.

In cases in which technical solutions to practical disarmament problems often caused the parties to define the negotiatory situation as one characterized by a high degree of uncertainty, an analysis of observable attempts to lower the level of uncertainty through information-giving would seem relevant to a study of preventive mediation.

Information-giving which is intended to increase the amount of the recipients' information and to improve their knowledge can be considered in terms of preventive mediation as a systematic effort to reduce the elements of uncertainty and risk associated with the recipients' decision-making processes.

With the aid of technical and scientific advisers from the Swedish disarmament delegation, Sweden attempted to neutralize technical obstacles which, for example, were raised in the discussion of the possibilities of monitoring underground testing. As a result of these efforts, the Swedish delegation

³⁵ ENDC/PV, 77: 36.

³⁶ ENDC/PV, 210: 35.

submitted a memorandum to the conference in 1967 concerning control of underground testing. This memorandum had been prepared by the Swedish National Defense Research Institute.³⁷

It should be noted in this context that the Swedish delegation was the only nonaligned delegation participating in the ENDC negotiations which had access to technical-scientific advisers. This expertise enabled Sweden to take a leading role in the preparation of joint non-aligned proposals dealing particularly with technical-scientific problems.³⁸

In connection with the treatment of the control issue, Swedish activities were especially intensive in the seismological area, particularly concerning the problem of finding an alternative to on-site inspection.

Sweden continually attempted to improve the prospects for a solution to this problem. Thus, an inter-Nordic group met in Stockholm in 1966 to discuss the possibilities of "... presenting a Nordic contribution to the solution of the control issue concerning underground nuclear explosions."³⁹ During 1966 the possibilities of "developing a system of seismological data exchange through international cooperation" was also discussed. Consultations took place on the cabinet level between Sweden, Australia, Canada, the United Arab Republic, India, Japan, Poland, and Rumania.⁴⁰ This cooperative effort continued later during 1966 in the form of bilateral contacts between these states.⁴¹

It ought to be noted that Swedish initiatives during the ENDC negotiations often contained references to Swedish technical-scientific expertise: "Basing myself on our own scientists, I think the situation can be expressed as follows" ⁴²

6.7.3.1. *Sweden's use of information-giving strategies*

In 1965 Sweden presented a memorandum dealing with techniques for detecting underground testing. Referring to its own staff of scientific advisers, the Swedish delegation outlined the technical developments which had taken place since the Moscow treaty.

³⁷ ENDC/191 which referred to Report C 42.86-20 (23), 1967: *Approaches to Some Test Ban Control Problems*.

³⁸ On the composition of the ENDC delegations, see, for example ENDC/INF. 2/Rev. 31. Concerning the impact of military-technical research on Swedish activities in the disarmament negotiations, see Fritiofson, 1965 : 7.

³⁹ Press Release, 11 Jan., 1966, in *Utrikesfrågor*, 1966 : 69.

⁴⁰ Press Release, 17 May and 26 May, 1966, in *Utrikesfrågor*, 1966 : 75 f.

⁴¹ Press Release, 4 August, 1966, in *Utrikesfrågor*, 1966 : 77 f. For the Swedish review of these efforts in Geneva, see ENDC/PV. 279 : 4 ff.

⁴² ENDC/PV. 77 : 34. For references to the Swedish Seismological Institute and Swedish seismological efforts, see ENDC/PV. 64 : 11 ff.

Since the conclusion of the partial test ban considerable progress has been made in the fields of seismic detection Well equipped and well located stations can now detect events corresponding to yields of the order of one kiloton from distances up to 10,000 kilometres, covering half the globe.⁴³

It was revealed in this memorandum that an exchange of data on underground disturbances had already been initiated.

Such cooperation by exchange of seismological data is already internationally instituted for the purpose of monitoring and studying earthquakes International data exchange is since long a well established practice in the geophysical sciences.⁴⁴

Sweden suggested that a "detection club" be formed to establish an institutional framework for this exchange of data.

Such a 'detection club' would essentially be an international data service, giving access to first class data for independent analysis.⁴⁵

The Swedish delegation declared that its government was prepared to contribute seismological resources and stated that plans for this purpose had already begun.⁴⁶ One year later in a joint memorandum, Sweden and the other non-aligned nations actualized this problem by referring to UN support in the control issue.

In this Resolution the General Assembly noted with satisfaction the joint Memorandum submitted by the Eight delegations. It expressed its conviction that agreement in regard to taking this further step towards nuclear disarmament would be facilitated, *inter alia*, by the important improvement made in detection and identification techniques.⁴⁷

This initiative should be seen as an attempt to improve other parties' technical and scientific knowledge in order to neutralize the obstacles blocking an agreement on a comprehensive test ban treaty. The Swedish delegation attempted to meet any demands for non-partisanship by citing the UN's support of improved detection measures and by referring to scientific and technical expertise to reinforce its arguments.

The Swedish initiatives seem to have been partially motivated by a desire to follow the acceptability principle. First, the proposals had been formulated in a flexible, noncategorical way: "Problems, however, still remain in the fields of identification and inspection."⁴⁸ Second, it can be assumed that if the proposals proved to be technically and scientifically viable, and if the

⁴³ ENDC/154:1. Davies, 1969.

⁴⁴ ENDC/154: 2 f.

⁴⁵ ENDC/154: 2.

⁴⁶ ENDC/154: 1.

⁴⁷ ENDC/177. The resolution itself is dated 7 Dec., 1965, 2032 (XX).

⁴⁸ ENDC/154: 1.

nuclear powers actually did wish to agree on a test ban, then the purpose of the proposals could not be questioned.

These initiatives demanded an expenditure of Swedish technical and scientific resources just as in the case of the Swedish seismological commitments mentioned earlier.

Sweden also attempted to influence the parties' decision-making processes through persuasive activities. After the Moscow Treaty of 1963, Sweden used persuasive activities in an effort to convince the primary parties to stabilize and synchronize their standpoints and positions in the test ban issue. One of the persuasive techniques employed was the "authority argument," for example, references to the UN resolution which recommended a comprehensive test ban treaty.

I am referring to the urgent need for suspension of nuclear and thermonuclear tests . . . to use the exact wording of the heading of last year's General Assembly Resolution 2163 (XXII).⁴⁹

This argument was based on the continuity principle. By directly citing statements made by the nuclear powers, the Swedish delegation reminded the other participants that the primary parties had supported these resolutions:

The Soviet Union has always come out in favour of the full prohibition of all tests of nuclear weapons including underground nuclear tests.⁵⁰

Sweden pointed out that this positive attitude had not been complemented by commensurate good will in a negotiatory context but instead had been followed by a series of underground tests.⁵¹ The real obstacles hindering the achievement of an agreement were judged to be minimal:

From the material available to my delegation I have drawn the conclusion, tentative in form but firm in conviction, that the scientific and technical difficulties that have prevented a generally-acceptable verification procedure to monitor an underground test-ban treaty have been steadily diminished and that they should now be quite small.⁵²

This line of argumentation culminated in a challenge to the primary parties' credibility:

The opinion has also become more widespread lately that there must perhaps be other reasons which underlie the political hesitation of the nuclear-weapon Powers to come to an agreement.⁵³

⁴⁹ ENDC/PV. 309 : 4.

⁵⁰ ENDC/PV. 309 : 6. The citation is from A/C. 1/PV. 1542 : 27-30.

⁵¹ ENDC/PV. 309 : 7.

⁵² ENDC/PV. 309 : 7. A detailed justification for this statement followed on p. 8.

⁵³ ENDC/PV. 309 : 10.

The Swedish delegation also made systematic attempts to neutralize the risk factor in the recipients' decisional calculi. The motive behind these efforts can most appropriately be found in the Swedish identification of major obstacles to agreement which meant that a significant degree of attention had to be given to one of the most significant problems in the disarmament negotiation, namely, the issue of control and verification. The Swedish viewpoint was based on the assumption that complete control was impossible and that certain risks would thus have to be tolerated: "This, however, cannot be achieved without taking some risks. One hundred per cent security is hardly attainable."⁵⁴

In a review of the general criteria which an effective control system ought to fulfill presented during the negotiations preceding the Moscow Treaty, the Swedish delegation argued that the control system chosen should give all parties a reasonable assurance that mutual commitments were being met and thereby provide the parties with some incentive to comply with the terms of the treaty.⁵⁵

The Swedish viewpoint was influenced by the acceptability principle. Sweden maintained that adequate consideration had been given to the American demands concerning inspection since the proposed control system gave each side an opportunity to request an inspection in response to any suspect seismological disturbance. But in addition, this system also protected the rights of the party being challenged.

... the control and verification mechanism should give opportunity to any country suspected of violating an agreement to free itself from unjust accusations, to prove its innocence.⁵⁶

This method has subsequently been elaborated upon on numerous occasions. In its more detailed version it has been called "verification by challenge."⁵⁷

Sweden attempted to reduce Soviet skepticism towards on-site inspection by assuring the participants that the purview of the control function would be highly restricted.

... that is to say inspection and verification should not divulge military or paramilitary facts or cover installations which were legally admissible according to a disarmament treaty and which the country in question wanted to retain as secret.⁵⁸

In order to increase the credibility of such guarantees, Sweden later supported a line of argumentation presented in a joint memorandum which recommend-

⁵⁴ ENDC/PV. 35 : 29.

⁵⁵ ENDC/PV. 71 : 30 f.

⁵⁶ ENDC/PV. 71 : 30.

⁵⁷ ENDC/PV. 247 : 13 ff. Myrdal, 1966 : 13. Prawitz, 1969 : 11.

⁵⁸ ENDC/PV. 71 : 31.

ed the creation of a group of neutral referees which the nonaligned group wished to portray as representing an impartial perspective. It was claimed that the non-aligned group had always worked for the acceptance of

... the idea that an *impartial* [author's italics] body of scientists, recruited on a personal basis from neutral countries, should be asked to give their opinion on the general problem of identification of underground tests.⁵⁹

This attitude was combined with recurring references to *both* the suitability of nonpolitical, scientific control procedures *and* the results presented by scientists and technologists.⁶⁰

In its efforts to neutralize the element of risk in the recipients' decisional calculi, the Swedish delegation emphasized the deterrence potentiality of certain kinds of control procedures. In connection with the submission of a memorandum on control of underground tests in 1967, the delegation proposed two general criteria for an effective control procedure. One demand was that the control procedure be designed in such a way as to deter possible treaty violations:

It should provide sufficient deterrence against violations by making the probability for discovery sufficiently high.⁶¹

The second criterion consisted of a demand for the minimization of the risk for misunderstanding concerning natural underground disturbances such as earthquakes.

It should contain adequate assurance against the risk that 'freaks of nature' in the form of earthquakes similar in appearance to explosions should induce unwarranted political accusations.⁶²

This document, which was drafted by the Swedish National Institute for Defense, provides an example of the way in which Swedish technical and scientific resources were utilized by the Swedish disarmament delegation. The document referred to a series of international sources — significant in terms of demonstrating the credibility of the document — which in addition to the Swedish analysis indicated that the probability of discovering possible treaty violations was great enough to deter such infringements.

The disclosure probability level was put at 10 per cent, meaning that a prospective violator would have to face one chance in ten of being disclosed.... This level was estimated to be high enough to deter from violations in view of the high political costs involved in a disclosure.⁶³

⁵⁹ ENDC/177 : 2.

⁶⁰ ENDC/177 : 2.

⁶¹ ENDC/191 : 1. Cf. note 37.

⁶² ENDC/191 : 1.

⁶³ ENDC/191 : 4. On this problem, also see ENDC/PV. 309, 315, 323, 385.

According to the Swedish viewpoint, technical obstacles to agreement had been reduced to a minimum.

The strategic goal was described as an attempt to overcome the technical disagreements separating the nuclear powers. Another, unofficial motive may possibly have been to "reveal" the nuclear powers' positions, namely, their opposition to a test ban. Myrdal suggested that military considerations were responsible for this opposition.

It has been said publicly by a leading official of one of the main nuclear-weapon Powers that the underground testing programme is a very vital part of maintaining the effectiveness of the offensive force to provide a sure destruction.⁶⁴

6.8. Conclusions and Comments

It should be noted that a provocative element could be found in the Swedish efforts to stress the seismological possibilities of detecting underground tests. As mentioned earlier, after the signing of the Moscow Treaty, the primary parties were primarily interested in a non-proliferation treaty and not seriously inclined to negotiate collateral issues which, according to both the Soviet and American viewpoint, lay outside the contract zone. The preventive mediation efforts analyzed in this chapter were designed for use in problem areas that could be related to the negotiations which the Swedish delegation hoped would take place parallel to or after the NPT negotiations. Apparently, Sweden wished to neutralize in advance any obstacles which might possibly prevent agreement on a comprehensive test ban treaty.

In this case, however, the Swedish delegation's behavior was characterized by a certain degree of role ambiguity since its positions were qualified by a number of conditions made in connection with Swedish proposals for package solutions and concessions from the nuclear powers. It is therefore somewhat difficult to clearly identify the strategic goals motivating the activities of the Swedish delegation which have been analyzed here. It is also conceivable that Swedish behavior was partially motivated by a desire to neutralize possible Soviet-American arguments to the effect that it was impossible to agree upon a comprehensive test ban treaty due to control and verification difficulties.

Through preventive mediation, Sweden attempted to prevent certain problem areas from developing into full-fledged obstacles to agreement either in future negotiations or after the contract zone had been modified and extended to include such problem areas within the context of the current negotiations. The Swedish efforts to achieve a ban on underground testing dealt with an issue which lay outside the contract zone formulated by the United States and the Soviet Union.

⁶⁴ ENDC/PV. 309:10.

Attempts to neutralize problems outside the contract zone seem to have entailed certain risks in the sense that the complex of issues which was actualized by these efforts might have delayed the NPT negotiations. But these risks must be evaluated in light of Sweden's and the other non-aligned states' ability to control the time point for the abandonment of demands for concessions from the primary parties.

Chapter 7

Mediation and Compromise Strategies

7.1. Introduction

Compromise strategies seem to be one of the most commonly employed types of strategies in a negotiatory context.¹ And earlier in the analysis, compromise has been noted a number of times as one of the components of a negotiation process. Thus, it was assumed that the use of search strategies could be partially seen as a preparatory effort paving the way for subsequent compromise proposals.² And it was also argued that the synchronization of the parties' individual decision-making processes prerequisite to the joint decision-making process could be established through the acceptance of compromise proposals presented by a mediator.³

As indicated by the review of the various definitions of mediation existing in the literature, a few analysts have defined mediation in terms of a third party's presentation of compromise proposals.⁴ It has also been maintained that from the very start of ENDC, the Swedish delegation considered it to be one of its major tasks to submit compromise proposals in cases in which the primary parties took incompatible negotiatory positions.

In addition, it has been argued that a mediator employs a role-dependent strategy when he uses compromise proposals in his mediation efforts. This means that the recipients' expectations concerning the behavior of the initiator have an impact on the potential of the proposals to meet with success.

In this chapter, the introductory discussion of the characteristics and dynamics of compromise processes presented earlier in the analysis will be dealt with in a more detailed and comprehensive fashion. And an attempt will be made to identify some of these abstracted components of compromise processes through the use of empirical illustrations.

¹ See chapter 1, note 25, Cf. also Holsti, 1967 : 234.

² Cf. Chapter 5.

³ Cf. Chapter 3.

⁴ *Some Aspects of Mediation*, 1970 : 16.

7. 2. The Definition of Compromise Concepts

If the parties mutually synchronize their standpoints and negotiatory positions to a degree that insures the actual achievement of an agreement, a compromise solution has been reached. Compromise was defined as the process by which this synchronization is brought about. Thus, the result of this compromise process is a compromise solution. And it was argued that compromise solutions were often achieved through mutual concessions made by the conflicting parties.

The definitions of the various compromise concepts have not been solely linked with "concessions," since this latter concept seems to be strictly associated with a party's reactions to the demands articulated by another party.⁵ Instead, if one speaks of changes in negotiatory positions which bring these negotiatory positions nearer those held by another party, the definitional strictures of the concept of concession can be avoided. The phrase, "synchronize . . . to a degree" suggests that the parties' final positions in a compromise solution do not have to be identical. The only definitional requirement in this respect is that the extent of their incompatibility be tolerable for all the parties involved in the compromise solution.

Another advantage of conceptualizing compromise and compromise solutions in this way is that the emphasis on change in standpoints or negotiatory positions suggests that the definitions can accommodate additions and amendments as well as "reductions" in the parties' standpoints and negotiatory positions.

It should be noted that even if most compromise solutions are in all probability a result of mutual concessions, such solutions can also be arrived at through voluntary changes in standpoints and positions.

This way of thinking suggests that a unilateral compromise move can be defined as a party's independent adjustment of his own negotiatory positions in order to move those positions nearer to the negotiatory positions held by another party. Such changes in position, however, seem to be conditional in the sense that they presuppose changes in another party's positions. A compromise solution thus presupposes changes in the negotiatory positions of all the parties involved in the solution.

A *compromise strategy* is a plan which outlines a set of means or measures which can be used to bring the negotiatory positions held by conflicting parties close enough to each other to insure the achievement of an agreement. A compromise strategy is thus a blueprint describing how the incompatibility between various negotiatory positions can be reduced.

⁵ On concessions in a negotiatory context, see Jensen, 1968: 153; Podell-Knapp, 1969: 511.

A party who *advances compromise proposals* utilizes a compromise strategy which prescribes that the party, as a bargainer, propose changes in *his own* and in *other parties'* negotiatory positions which, if they are accepted by these other parties, will insure that the parties' negotiatory positions are synchronized to a degree which guarantees the achievement of an agreement.

A compromise strategy initiated by a third party is a type of mediation strategy which can function either as an independent strategy or as a sub-strategy subordinate to a primary mediation strategy. As noted in the literature, a formal negotiation is only one component in a series of interactions, and the parties' views on what constitutes a compromise solution may be influenced by the realization that the resolution of a certain issue is not dependent upon the results of one particular negotiation.

Each actor might feel less committed to victory in the negotiation if it realized that there would be other days and other plays in the game, and compromise might therefore be easier to achieve.⁶

And perhaps the Swedish efforts to attain formal assurances guaranteeing the initiation of a certain type of disarmament negotiation after the signing of a non-proliferation treaty should be seen in similar terms. A similar type of reasoning might also be applied to extended negotiations dealing with various collateral measures for a prolonged period of time. A party can, as it were, count on future concessions from another party in exchange for immediate concessions on his own part.⁷

As argued in the two previous chapters, the parties' ambition to improve their information and knowledge can be interpreted as a joint strategic goal related to the use of search and information-giving strategies. The former type of strategy was employed by one party in order to gain information from other parties, and the latter was used by a party to provide other parties with information and knowledge. These strategies are related to compromise in the sense that if the goal of improved information and knowledge is reached, the area of compromise is broadened. It thus seems possible in certain negotiatory situations to consider search and information-giving strategies as kinds of preparatory strategies or subtypes of compromise strategies. It should also be noted that possible side-effects of these substrategies which are difficult to control (delayed reactions from the mediation objects, for example) may also have an impact on the effectiveness of a compromise proposal.

Package solutions can be seen as a type of compromise solution. Proposals constituting a package solution often seem to be initiated in negotiatory

⁶ Scott, 1970 : 177.

⁷ Cross, 1965 : 72 f.; Cross, 1969 : 12 f., 45.

situations in which an agreement on one issue cannot be achieved unless another or other issues are resolved simultaneously.⁸

Since a package solution contains several proposals dealing with a number of issues, the use of these packages may lead to a broadening of the compromise area. But it also seems reasonable to assume that the achievement of this more comprehensive type of compromise solution represented in the package solution requires the utilization of a series of various substrategies — persuasive strategies, search strategies, etc. In turn, the use of multiple strategies seems to entail a risk for unintentional, interactive negative side-effects. Thus, the use of package solutions increases the risk for strategy competition.

7.3. Compromise Proposals and Some Problems Concerning the Mediator's Strategic Decision-Making Process

For a party attempting to maintain several role functions in the context of one negotiation (both a bargaining as well as a mediation role, for example), certain problems arise in connection with the party's efforts to synchronize his mediation proposals with the standpoints and desires which he, as a bargainer, wishes to see satisfied in the negotiated settlement.

The risk that a compromise proposal which was designed as a mediation proposal might be interpreted by the recipients as a bargaining-oriented initiative is related to the negotiatory positions which the initiator, as a bargainer, has taken on previous occasions and the substantive and strategic goals which the initiator has previously made public. In such situations, the mediator's credibility and impartiality may be questioned, and it can be expected that a particularly complicated continuity pattern develops in these cases of multiple role-taking. This behavioral pattern may seem so complicated that the recipients' uncertainty concerning the initiator's role function increases to the point where role-ambiguity occurs. According to this line of reasoning, a party who has avoided playing a bargaining role may enjoy more *freedom of action as a mediator* and in all probability can act more effectively than would be the case if he had supported a particular set of positions previously set forth by the mediation objects.

⁸ Dunlop-Healy, 1953:65: "All settlements must be 'package' settlements when there is more than one item in dispute." Stevens, 1963:44 f.: "...items are negotiated simultaneously."

Those Swedish compromise proposals which could be described as package solutions were often bargaining-oriented and could not be related in all cases to Swedish mediation efforts. The package solution approach was primarily "demand-oriented." Cf. ENDC/PV. 300:13; ENDC/226; ENDC/PV. 364:11; ENDC/PV. 256:9; ENDC/PV. 309:4; ENDC/PV. 385:12; ENDC/PV. 397:25, 28; ENDC/PV. 399:5; ENDC/PV. 415:4.

Another major decisional problem which has been discussed previously will be briefly touched upon here. On the one hand, the mediator seems to desire a certain degree of stability and continuity in the mediation objects' negotiatory positions since such stability enables the mediator to demarcate the boundaries of a compromise area. On the other hand, however, the mediator also hopes that the parties' negotiatory positions will be flexible enough to allow the achievement of compromise solutions. Thus, the need for flexibility and stability presents a paradoxical conflict of interests for the mediator. This conflict usually means that the mediator will urge the mediation objects to maintain a certain degree of freedom of action before making the commitments necessary for the creation of a contract zone. The concept "freedom of action" ought therefore to be defined in order to illuminate the problem faced by the mediator in this respect. The following distinctions seem to be relevant.⁹

A party has *formal freedom of action* as long as he has not committed himself in documented form, for example, through domestic parliamentary decisions or through international treaties or memoranda. Formal freedom of action therefore does not include a party's ability to reconsider formal decisions by, for example, annulling the validity of an international treaty which the party has previously signed.

A party has *real freedom of action* when he can make a decision concerning a particular issue without being coerced by another party or without being hindered by practical or political circumstances. Real freedom of action thus consists of two components. First, it varies with a party's practical ability to realize various alternative courses of action. Lack of material resources can, for example, limit a party's practical ability to execute a decision. Second, real freedom of action varies with a party's ability to muster the political prerequisites necessary for the successful implementation of various alternative courses of action. A political restriction on a party's real freedom of action might be illustrated by risks for domestic conflict caused by any attempt to execute a certain type of decision.

Complete real freedom of action hardly seems to exist. Instead, the concept of freedom of action is usually used to describe a situation in which difficulties in the execution of future decisions are reduced to a minimum, and where the decision is not affected by circumstances which prevent the decision-maker from choosing the alternative which seems most rational.

The literature on mediation has concentrated above all on the mediator's function in connection with retreats from previously held negotiatory positions, retreats which are necessary if solutions and agreements are to be achieved.¹⁰

⁹ Cf. also Iklé's use of the concept "flexibility." Iklé, 1964:35.

¹⁰ Kerr, 1954:238: "The mediator can help control the pace of retreat..." On retreats from commitments, cf. Walton-McKersie, 1965:116.

The mediator's task in this respect has been posited to be that of helping the mediation objects to save face when they abandon commitments by temporarily increasing the mediation objects' freedom of action.¹¹

In contrast, when a mediator presents a compromise proposal, he wishes to limit the mediation objects' freedom of action by persuading them to accept the terms of the mediation proposal.

In situations marked by a high degree of uncertainty, the mediator can be interested in maintaining or increasing the mediation objects' freedom of action while he reviews the relevant characteristics of the negotiatory situation. But it is also conceivable that a mediator who is unsure of the degree of incompatibility between the potential mediation objects' negotiatory positions may want to reduce their freedom of action by getting them to declare their views on a particular concrete issue in order to establish a basis for compromise proposals. This is probably often the case when the mediator initiates search activities.

If the mediator chooses to attempt to maintain the mediation objects' formal and real freedom of action, it seems to be easier for the mediator to regulate the level of politicization since this level has not already been determined through commitments made by the parties. Finally, as long as the mediation objects have not limited their freedom of action, it is easier for a mediator to maintain their hopes and expectations concerning a positive negotiatory result.

The analysis which follows will concentrate primarily on situations in which the mediation objects have restricted their own freedom of action to such a degree that the mediator finds it necessary to initiate mediation proposals.

It should be noted that as long as the mediation objects take vague and multifaceted negotiatory positions in order to maintain their freedom of action, they can make significant changes in their positions without seriously damaging their negotiation reputations.

If a party attempts to pressure another party into restricting his freedom of action by making concrete commitments, the former party's own freedom of action provides the latter party with a means of counterpressure since the latter party can demand reciprocal concessions or compensation in return for a limitation of his own freedom of action.

By maintaining his freedom of action, a party can attempt to create an atmosphere of uncertainty which he hopes will stimulate other parties' interest in a particular type of negotiatory solution. But on the other hand, as long as a party maintains his freedom of action in a particular question, there is also a risk that other parties will gravitate towards undesirable

¹¹ Stevens, 1963:98 f.; Stevens, 1967:283 f.

standpoints. The mediator's ambition to reduce uncertainty is actualized in this kind of negotiatory situation.

In conclusion, to simplify somewhat, it could be argued that to maintain one's freedom of action and to commit oneself are conflicting types of action. When a party is unsure of his goals, he most probably will prefer strategies which offer the greatest political mobility. If the party's goals are categorical and he is relatively sure of the underlying evaluations on which these goals are based, the party is most likely to prefer a policy which stipulates the successive reduction of his freedom of action in order to emphasize his resolve in reaching his projected goals.

It should be noted that there is only a vague boundary between a case in which a party's decisional calculus is dominated by a desire to maintain freedom of action and a case in which the party's decisional calculus is dominated by the desire to restrict political mobility by making commitments. Thus, there seems to be a scale beginning with total freedom of action at one end (a state which hardly exists in reality), running through flexible, provisional commitments, and ending in formal, unconditional commitments which reduce freedom of action to a minimum. In principle, however, it will be assumed that formal commitments replace formal freedom of action. And it can also be argued that in general, the more a party's freedom of action is restricted, the more tightly bound that party becomes to categorical, unconditional positions.

7.4. Conceivable Ways in Which the Mediator Can Regulate the Prerequisites for Compromise and Compromise Solutions

Among the great variety of conceivable methods available, the mediator can alter the preconditions for compromise (and thus compromise solutions) in the following ways:

1. The mediator can employ search strategies in order to improve both his own and the mediation objects' information and knowledge concerning the factors which are relevant to a compromise solution.
2. The mediator can broaden the area of compromise by actualizing other problems and issues which have not previously been the object of negotiation through the initiation of a discussion of future concessions from one party as compensation for immediate concessions on the part of another party.¹² The extended negotiation is particularly relevant in this respect.
3. The mediator can attempt to change the negotiatory milieu. For example, by directing compromise proposals to a new constellation of parties, a

¹² Cross, 1969 : 45.

mediator may try to alter the previous pattern of formally established party alignments.

If the mediator is a multiple role-taker, he can temporarily abandon his mediating role and in other role positions attempt to make an independent contribution to the restructuring of the negotiation milieu. In addition, the mediator can attempt to establish an informal coalition with other participants in order to present compromise proposals as a unified mediation group. It should be recalled that by reducing the number of negotiatory parties, informal coalitions probably simplify the mediator's efforts to establish compromise solutions to the degree that the number of alternative compromise solutions is also reduced. It is conceivable that the possibilities for compromise are also reduced if the participants in the various coalitions limit their willingness to compromise or if they have expended their margins for compromise on the accommodations in standpoints and negotiatory positions necessary for the formation of the coalition.¹³

Finally, it should be remembered that a multilateral negotiation is more complicated in terms of establishing compromise solutions than a bilateral negotiation since a greater number of participants must take a position concerning the compromise proposals advanced in the negotiation.

4. The mediator can attempt to alter the degree of publicity by publicizing compromise proposals based on negotiatory positions which have not been previously revealed in the formal negotiations but which have been communicated to the mediator during informal negotiations. If in this way the mediation objects' negotiatory positions are officially revealed, these parties may feel compelled to defend their standpoints and positions. This, in turn, may reduce other parties' situational uncertainty. At the same time, the opportunities for the mediator to present more precise compromise proposals increase.

The relationship between the level of publicity and compromise thus seems to be affected by the parties' strategic evaluations. An official rejection of a compromise proposal can be seen as correct strategic behavior if a party's predominant strategic principle is the continuity principle. On the other hand, if a party has declared himself to be positively disposed towards compromise proposals as a means of arriving at negotiated settlements, an official rejection of such a proposal may damage his credibility and negotiation reputation.

¹³ de Rivera, 1968 : 399. Kaufmann, 1968 : 150.

7.5. Conceivable Effects of Compromise Proposals from a Mediator

1. A compromise proposal may create artificial conflicts or actualize latent disagreements which would not have occurred if the compromise proposal had not been initiated. Such disagreements can, for example, deal with the degree of reciprocity characterizing the concessions contained in the compromise proposal.

As previously mentioned, the presentation of a compromise proposal can, however, be an integral part of a mediator's attempts to gain information. Even if the mediator thinks that there is little chance of the compromise proposal being accepted, the proposal is nevertheless advanced in order to provoke the mediation objects into revealing information. In this way, the mediator can obtain information indicating the areas and issues about which the mediation objects are in discord. Thus, the presentation of a compromise proposal may facilitate the mediator's efforts to localize obstacles to agreement. (+ —)

2. New compromise proposals overload the recipient's decisional calculus since previously unexplored alternatives must now be considered. This, in turn, may delay the development of the negotiation process. (—)

3. Compromise proposals may cause the parties to make commitments which the mediator subsequently finds difficult to neutralize. This type of situation may arise if one party accepts a proposal while another party refuses to adjust his negotiatory position. (—)

7.6. ENDC and Swedish Compromise Proposals

7.6.1. Acute mediation: compromise proposals in stalemate situations

The Swedish delegation played an active mediating role from the start of ENDC in 1962 until 1963 when the Moscow Treaty on a partial test ban was signed. The Moscow Treaty contains no control article.¹⁴ In reality, control procedures have been carried out by the signatory states.¹⁵ But during the negotiations which preceded the Moscow Treaty, the control issue was given particular attention in conjunction with a discussion of the possibility of reaching an agreement on a comprehensive test ban. And it was in this area that Sweden and the other non-aligned participants directed their most intensive efforts.¹⁶

The analysis which follows will focus on a compromise proposal formulated

¹⁴ ENDC/100/Rev. 1.

¹⁵ For a review of problems associated with the control issue, see Prawitz, 1969: 1 ff.

See especially p. 7.

¹⁶ Undén, 1963:71 f.; 135.

as a joint memorandum and initiated in a stalemate situation on 16 April, 1962.¹⁷ Thus, in this case Sweden had joined a temporary, informal coalition.

7.6.1.1. *The official version of the subjective definition of the negotiatory situation*

The feeling of optimism which had originally characterized the negotiations had now been replaced by a sense of pessimism based on a seeming stalemate resulting from the superpowers' inability to establish any kind of results in the subcommittee sessions which took place during the initial stage of the ENDC negotiations.

This situation was defined by the non-aligned states as a partial stalemate. These states declared that they were deeply troubled by the fact that no agreement had been reached concerning a ban on nuclear weapon testing. But in addition, it was claimed that certain areas existed in which consensus prevailed.¹⁸

The Swedish delegate, Alva Myrdal, declared that Sweden found it of the upmost importance to break this stalemate.¹⁹ It seems reasonable to state that ENDC's treatment of the test ban issue was still in an initial stage of development. It is not possible to determine definitely to what degree the superpowers had established a provisional contract zone unbeknown to the other parties.

The preparatory work preceding the initiation of the memorandum can be described as informal search activities. If the information from the representatives of the non-aligned delegations is correct, the Soviet and American reaction to these search activities was clearly negative.²⁰ But in spite of these reactions, the non-aligned delegations proceeded to submit the memorandum to the conference. When the memorandum was officially submitted, however, it was accepted for analysis without opposition by the Soviet and American delegations.²¹

7.6.1.2. *The characteristics of the memorandum*

The document focused on the control problem which was identified as the most important obstacle to agreement. The document is significant in the respect that it summarized the viewpoints of the non-aligned states which

¹⁷ ENDC/28.

¹⁸ ENDC/28. For the Soviet position, see ENDC/PV. 14: 35; and ENDC/PV. 15: 24.

For the American position, see ENDC/9, 1962.

¹⁹ ENDC/PV. 30: 4.

²⁰ Lall, 1964: 21.

²¹ ENDC/PV. 24: 10.; ENDC/PV. 25: 24.

had been presented up to this point in the development of the disarmament conference.²²

The document in many respects had the character of a compromise proposal, a circumstance which the Swedish delegation emphasized on subsequent occasions.

But the presentation of negotiating bids also means that the eight-Power joint memorandum of 16 april remains *in the middle of the road* . . . it does contain certain basic principles and offer some guiding lines for a compromise. We still feel that it provides not only a realistic but probably the only possible bridge for a compromise [author's italics].²³

The basic tenet of the proposal was that the control issue ought to be attacked on a technical and practical level. In this respect, the proposal can be seen as a complement to the Swedish efforts to depoliticize this question.

They [the non-aligned states] believe that possibilities exist of establishing by agreement a system for continuous observation and effective control on a purely scientific and non-political basis.²⁴

The proposal also claimed that control of nuclear weapon testing could, in principle, be carried out without the necessity of on-site inspection. Another interesting argument was that this type of control could be based on "pre-existing national networks of observation posts and institutions."²⁵

The proposal thus entailed a certain adjustment to the Soviet view that in general, on-site inspections were unnecessary.

In reality, the proposal meant that to a significant degree, its initiators supported the Soviet negotiatory position. Taking this kind of stand entailed certain risks for the non-aligned states in terms of the strategic principle of impartiality and this group's negotiation reputation as a mediating coalition.

And it is also significant that the partial consensus around the Soviet negotiatory position was combined with references to empirical observations of a scientific and technical nature.

The existing networks already include in their scientific endeavours the detection and identification of man-made explosions. Improvements could no doubt be achieved by furnishing posts with more advanced instrumentation.²⁶

The proposal also recommended that a commission be formed for the processing of relevant data and the reporting of any nuclear explosions. The non-aligned states did not exclude the possibility of their own participation in the establishment and maintenance of this international commission, for

²² ENDC/C.1/PV. 6 : 35 f.; ENDC/13 : 47 ff.; ENDC/PV. 19 : 9 ff.

²³ ENDC/PV. 77 : 30.

²⁴ ENDC/28, paragraph 3.

²⁵ Ahmed, 1967 : 26.

²⁶ ENDC/28.

the proposal suggested that the commission consist of a limited number of highly qualified scientists, possibly from the non-aligned states. The memorandum can thus be seen as a systematic attempt to synchronize this limited goal with the resources of the non-aligned states.

It was hoped that such a commission could guarantee a basic and objective examination of all available data. To this end, the proposal suggested that any eventual test ban treaty require the signatories to supply the commission with necessary data. This would be accomplished by obligating the signatory nations to allow the commission to visit the site of any suspected occurrence.²⁷

The proposal thus presupposed that in any doubtful situation the commission would be able to carry out on-site inspections. The purpose of this stipulation was apparently to satisfy to some degree the American demands for observation posts which could provide a defense against treaty violations.

Once again, an attempt can be noted to neutralize the political obstacles resulting from the parties' mutual suspicion, for part of the proposal was designed to create a balance of concessions by partially meeting American as well as Soviet demands.

After a period of significant hesitation, the Soviet Union and the United States accepted the proposal in principle. Thus, the compromise proposal succeeded in breaking the stalemate and at least restored an exchange of views.²⁸ The subjective evaluation of the result can be summarized in the following way:

The two sides have had both to give and to take, and they have done so to a certain extent. On the one point — that of the observation posts — more has been given by the West, on the other point — that of the international commission — more has been given by the East.²⁹

The approach outlined in the proposal was to resolve the control issue by temporarily depoliticizing the negotiations in order to deal with the problem on a technical and scientific basis. By concentrating on the technical aspects of the problem, it was felt that an indirect solution could be found to the political issues involved in the matter of control.

The practical problems could be solved partially through the use of pre-existing scientific and technical resources and partially through the creation of new organizational resources. In the latter case, the mediating coalition (the non-aligned states) made provisional promises concerning future commitments.

The document as a whole constituted an attempt to break a stalemate and to provide a new basis for negotiation by suggesting a compromise solution to the issue of control. In this initial stage of negotiation, however, the docu-

²⁷ ENDC/28.

²⁸ Lall, 1967: 337.

²⁹ ENDC/PV. 52: 28.; ENDC/PV. 64: 9.

ment was formulated in a provisional way. It seems reasonable to claim that the non-aligned states attempted to broaden the area of compromise by providing the conflicting parties with new information which could be used to formulate new alternative courses of action that in turn might serve as the basis of a compromise solution.

The proposal was tentatively and flexibly worded, and the formulation of the final treaty text was left to the primary parties. In short, the memorandum was designed as a presentation of suggestions and ideas for the consideration of the nuclear powers.³⁰

The tentative, sometimes vague formulations quite probably were employed in an effort by the non-aligned states to facilitate retreats by the mediation objects from earlier positions.

It also gave the big powers the opportunity, or the pretext, of shifting their positions gradually, without losing face . . .³¹

The proposal was in all probability never intended to serve as a comprehensive treaty draft. Instead, it is more likely that the proposal was designed to create new preconditions capable of insuring the continued development of the negotiations. A representative for the United Arab Republic has summarized the purpose of the proposal in the following way:

At any rate, the Memorandum was never intended to be a 'blueprint for a treaty . . .'. It provided a new basis, a new starting point for negotiations.³²

In addition, it seems reasonable to conclude that the document was formulated and submitted in an effort to play a mediating role. It cannot be denied, however, that the proposal was also characterized to a certain extent by bargaining-oriented formulations:

. . . it fulfilled the purpose of letting the nuclear powers know where the non-aligned delegations, as a united group, stood on their original positions.³³

In light of the non-aligned states' attempts to use informal search activities in order to sound out the mediation objects' attitude to the proposal and considering the mediation objects' negative reaction to this proposal, it seems reasonable to assume that the non-aligned group wished to exploit the relatively high level of publicity characterizing ENDC in an effort to pressure the recipients into abandoning their stalemated negotiatory positions. There seems to have been a provocative intention behind this initiative, that is, to reveal the recipients' negative attitude toward the proposal.

³⁰ Myrdal, 1965: 34. Myrdal described the memorandum as a declaration of basic principles.

³¹ Ahmed, 1967: 28. Cf. also Lall, 1964: 21.

³² Ahmed, 1967: 28.

³³ Ahmed, 1967: 28.

And it should also be remembered that the proposal did not meet the strict requirements of reciprocal adjustment of equal magnitude to the positions of both mediation objects since it seems to have been closer to the Soviet negotiatory position than to the American position.³⁴ The initiators of the proposal attempted to justify this ostensible deviation from exact reciprocity on technical and scientific grounds.

Even if the mediation objects officially welcomed the initiative, it is conceivable that this move actually reduced the non-aligned states' future potential as a mediating force by tempering the mediation objects' willingness to inform other parties of their negotiatory positions. The long-range effects of "provocative" mediation proposals are difficult to predict with any degree of accuracy. And it is even difficult to determine with certainty whether any "provocative" intentions actually lay behind the formulations employed in the proposal. It is conceivable that the initiative was designed merely to accelerate the negotiation process by stimulating a discussion which could lead the negotiations out of the stalemate in which they had culminated. Since the search activities preceding the initiation of the proposal had met with such negative results, the non-aligned group probably had few hopes that the proposal itself would lead to a settlement in the form of concrete agreements.

The non-aligned states' initiative can finally be seen as an attempt to broaden the contract zone while it was still in its formative stages so that it would encompass within its contours the issue of a comprehensive test ban treaty.

Since the proposal was initiated in the initial stage of the ENDC negotiation, it may have contributed to an ambiguous role perception on the part of the recipients. If the non-aligned delegations employed this initiative in an endeavor to establish a mediating role for themselves, their efforts to broaden the contract zone and demarcate their joint negotiatory position seem to have had a certain impact on the effectiveness of this endeavor.

7.6.2. Preventive mediation and compromise proposals

In this section, the analysis will briefly focus on a Swedish attempt to accelerate the development of the negotiation process by facilitating a synchronization between the mediation objects' negotiatory positions through preventive mediation. Swedish sources characterized the initiative in the following way:

This initiative constitutes both an effort to reach a compromise and at the same time a try to further international nuclear disarmament.³⁵

³⁴ On reciprocal concessions, cf. Iklé, 1964: 90, 104.

³⁵ Press Release, Thursday, 31 August 1967.

On this occasion, the Swedish delegation chose to act independently instead of in unison with the non-aligned states. It is possible that the necessity for quick action did not provide Sweden with enough time for informal consultations with the other non-aligned nations.

7.6.2.1. *The negotiatory situation*

The Swedish compromise proposal was initiated in a situation in which the mediation objects had presented identical non-proliferation treaty drafts, drafts which lacked any kind of control article.³⁶ At this juncture, the degree of situational uncertainty had been reduced somewhat. The presentation of these documents indicated that the primary parties were at least in agreement on the approximate boundaries of the contract zone, and that the remaining obstacles to agreement had been made explicit. It was apparent to the other parties that the primary parties had defined the negotiatory situation in such a way that the control issue had now emerged as the problem which might be most likely to develop into a manifest obstacle to agreement.

There seems to have been a great deal of uncertainty, however, concerning how this obstacle could be overcome. The analysis presented below will focus on Swedish efforts to neutralize this uncertainty by suggesting a completed formulation of the control article.

In conclusion, from an observer's standpoint, the situation can be seen as an agreement situation, but one still characterized by significant problems which might have developed into manifest obstacles to agreement.

Even if the lack of a control article in the Soviet and American drafts constituted a problem which the parties felt might develop into a manifest obstacle to agreement, the negotiatory situation can still be described as an agreement situation. The Swedish delegation thus hoped to prevent technical problems or disagreements of low intensity from becoming manifest obstacles to agreement consisting of disagreements characterized by a high level of conflict between the mediation objects. The Swedish activities fell within a border area between preventive mediation and acute mediation. In this case, however, it seems most reasonable to consider at least certain aspects of Swedish strategic behavior as designed to fulfill a preventive mediation function.

After several years of involvement in the NPT negotiations, the parties were relatively sure of the factors which impeded the achievement of a final agreement between the primary parties. The Swedish subjective definition of the negotiatory situation seems in the main to have coincided with this general certainty concerning the nature of the disagreements separating the primary parties. Earlier in the same year in which the Swedish memorandum

³⁶ ENDC/192; ENDC/193.

was submitted and before the Soviet and American drafts were presented, the Swedish government defined the negotiatory situation as one of pre-agreement by carefully suggesting that a non-proliferation treaty might possibly be reached in the near future.³⁷ It was also argued that the control issue was the most important obstacle to agreement even though the degree of technical difficulty involved could not yet be determined with certainty.

After the Soviet and American drafts had been submitted to ENDC, the Swedish government declared itself to be satisfied with these documents which were described as the most significant achievement of the ENDC negotiations since the Moscow Treaty.³⁸

7.6.2.2. *The characteristics of the memorandum*

The official strategic goal in this transitional period between the intermediate and final stage of negotiation was to accelerate the development of the negotiation process by preventing the differences in position which separated the mediation objects from becoming exacerbated to such an extent that they would become decisive impediments to a final agreement.³⁹ But in addition to this strategic goal, the Swedish delegation also seems to have sought bargaining-oriented goals.

I will not hide the fact that one of our preoccupations concerns the desire to see inscribed in the treaty more binding obligations on the main Powers⁴⁰

The Swedish delegation seems to have been cognizant of the risks for negative side-effects or risks that new obstacles to agreement might arise.

. . . I wish to stress once more that the Swedish delegation is not proffering its proposal in order to place any difficulties in the way of the speedy conclusion of a treaty.⁴¹

The Swedish memorandum was flexibly formulated, being characterized by the Swedish delegation at the time of its presentation as a “. . . preliminary and tentative text.”⁴² And it was added by one member of the delegation that “this presentation in no way, of course, reduces the possibility of my delegation supporting any other text on this item”⁴³ Finally, it was argued that “It is in such a spirit of constructive compromise that we have drafted and tabled our proposal.”⁴⁴

³⁷ AK : 1967, B12 : 7 f.

³⁸ ENDC/PV. 325 : 19.

³⁹ ENDC/PV. 327 : 9.

⁴⁰ ENDC/PV. 327 : 9.

⁴¹ ENDC/PV. 327 : 11.

⁴² ENDC/PV. 327 : 9.

⁴³ ENDC/PV. 327 : 9.

⁴⁴ ENDC/PV. 327 : 11.

Continuity was maintained in the Swedish proposal in the sense that the delegation claimed that it had, to a great extent, used formulations from previous proposals. It was recommended in the Swedish proposal that a control system (safeguard system) be established under the sole authority of the International Atomic Energy Agency in Vienna. In light of Swedish efforts to play a mediation role in the control issue, it is interesting to note that Sweden took a negotiatory position on the problem of the relations between IAEA and EURATOM concerning the issue of West Germany's adherence to any future non-proliferation treaty. The Swedish proposal was, however, flexibly worded on this point, and it was suggested that a transition period be established in order to allow for the subordination of bilateral and regional control agreements to IAEA authority:

... the obligations stipulated ... shall be implemented as soon as practicable, but not later than three years from the date of the original entry into force of the Treaty.⁴⁵

The American attitude was that although the United States had generally supported the IAEA since its conception, the United States would also have to consider the interests of its ally, West Germany, whose non-military atomic resources were linked to EURATOM. For the Soviet Union, the issue of West Germany's adherence to a non-proliferation treaty was of major significance. The proposed IAEA domination in matters of control was supported by the Soviet Union as long as this control concerned only those states which lacked nuclear weapons.⁴⁶ In terms of reciprocity, however, the proposal concerning IAEA control probably played less of a role than the compromise proposal which was analyzed earlier. In terms of acceptability, the proposal seemed controversial against the background of the differing ways in which the primary parties hoped to formulate a non-proliferation treaty concerning the terms for adherence by certain key states (West Germany, for instance).

It can be assumed that the desire of the Soviet Union and the United States to insure West Germany's adherence to the treaty meant that a control article acceptable to the primary parties was a control article that was acceptable to the key states which the primary parties hoped would sign a non-proliferation treaty. The formulation of the final non-proliferation treaty seems to a certain extent to confirm this line of reasoning. The final solution to the problem of synchronizing the interests of EURATOM with the demands for a superior position for IAEA appears in the final NPT text

⁴⁵ ENDC/195. The Swedish preference for IAEA supervision of control matters was not new. For example, in 1966 Sweden had criticized the acceptance of bilateral or regional systems as equivalent to IAEA's safeguard system, cf. ENDC/PV. 281: 5 ff.

⁴⁶ On the Soviet Union's attitude towards EURATOM, see Mason-Willrich, 1969: 112. On the American view of IAEA and EURATOM, see p. 115. Sweden was in all probability aware of this situation. Cf. Prop. 1969: 164: 4, 10, 16. Rosen, 1967: 168 ff.

as a relatively ambiguous formulation in Article III, paragraph 4. EURATOM is not mentioned explicitly, but it is stated that

Non-nuclear-weapon States Party to the Treaty shall conclude agreement with the International Atomic Energy Agency to meet the requirement of this article either individually or together with other States in accordance with the statute of the International Atomic Energy Agency.⁴⁷

Regarding the control issue, it appears that to a certain extent there existed a conflict between the necessity of meeting the requirements of the credibility principle which in this case stipulated maximally efficient control procedures and the necessity of fulfilling the demands of the acceptability principle which stipulated a treaty formulation which would attract as many signatories as possible. The relationship has been characterized in an illuminating way by one of the technical advisers to the Swedish delegation:

Control which is sufficiently effective to make possible an accurate determination of whether commitments are being met will as a rule, with the practical methods existing today, provide insight into and information about conditions not regulated by the terms of the treaty. Such control will therefore easily become unacceptable to the party subject to it.... On the other hand, control which is politically acceptable will as a rule not be sufficiently effective in insuring the intended degree of security.⁴⁸

The Swedish initiative seems to have been designed with the intention of meeting the requirements of the credibility principle. It does not appear, however, as if the Swedish delegation considered the demands of this principle to be incompatible with the requirements of the acceptability principle.

The third aspect of the memorandum was probably the most controversial from the primary parties' point of view. The Swedish proposal stipulated that all fissionable material possessed by the nations signatory to the treaty (including the nations with nuclear weapons) would be subject to control. This meant that all such material intended for import and export could only be used for peaceful purposes.⁴⁹ This point seems to have presented certain problems for the primary parties, particularly for the Soviet Union with its traditionally negative attitude towards on-site inspection.

In regard to this point, it seems reasonable to describe the proposal as a proposal characterized by overcapacity. For this point may have decisively contributed to the disagreements between the primary parties which made it impossible for them to reach an agreement on the control issue. This part of the proposal was to a certain extent bargaining-oriented, and it presupposed new commitments from the nuclear powers. It was formulated in a way

⁴⁷ Treaty on the Non-Proliferation of Nuclear Weapons, 1969: 64. Cf. International Atomic Energy Agency Statute, 1967.

⁴⁸ Prawitz, 1969: 2 f.

⁴⁹ ENDC/195. Press Release, 31 August, 1967.

designed to influence marginally the final formation of the contract zone.

It is in all probability incorrect to associate this proposal solely with Swedish mediation efforts. On the contrary, it appears as if the Swedish delegation had attempted to combine mediation-oriented and bargaining-oriented strategies.

The Swedish proposal suggested a sharpening of the primary parties' commitments in paragraph I which demanded that *all transfers* be subordinated to IAEA control. In the Soviet and American drafts and in the final non-proliferation treaty, the nuclear weapon states were not allowed to transfer nuclear weapons or other nuclear explosive devices to "any recipient," but there was no prohibition against providing other types of mutual assistance concerning the production of nuclear weapons. The stipulations in the Swedish proposal demanding a prohibition against "all transfers" between nuclear states would, for example, most probably have affected the transfers between the United States and the Great Britain.⁵⁰

Thus, in this respect, the Swedish memorandum had little prospect of increasing the mediation objects' (particularly the United States') willingness to accept the solution to the control issue outlined in the proposal. On the other hand, it might possibly have increased the non-nuclear weapon states' willingness to adhere to a non-proliferation treaty.

The proposal directly challenged articles I and II of the Soviet and American draft treaties, that is, those articles which conflicted with the proposed Swedish control article. This meant that if the Swedish control article was accepted by the other parties, a revision of the two Soviet-American articles would have been necessary. The Swedish proposal thus challenged areas of agreement between the primary parties, a circumstance which indicates that the proposal was characterized by overcapacity and secondly, that the proposal was formulated to achieve bargaining-oriented as well as mediation-oriented goals. It cannot be determined on the basis of available material to what degree these goals and strategies interacted in an uncontrollable way for the initiator.

With this memorandum, the Swedish delegation also demarcated its own negotiatory position. The proposal stated that a non-nuclear weapon state would have to accept IAEA control ". . . on all nuclear energy activities within its territory under its jurisdiction."⁵¹ The phrase, peaceful nuclear energy activities, was not used as in the case of the commitments which the proposal demanded from the nuclear weapon states; according to the proposal, these states were to accept IAEA control "on . . . peaceful nuclear activities . . ."⁵²

⁵⁰ Prop. 1969: 164: 7, 11.

⁵¹ ENDC/195, § 2.

⁵² ENDC/195, § 3.

The measures concerning the non-nuclear weapon powers were most probably proposed in an effort to limit these nations' chances of producing nuclear weapons. The word "peaceful" may also have been excluded in an attempt to prevent non-nuclear weapon powers which did not intend to produce nuclear weapons from establishing a military market in plutonium or uranium. The Swedish paragraphs stipulating that the IAEA should control "all transfers" seemed to be designed to establish a similar "guarantee."⁵³

As in the case of acute mediation examined earlier, Sweden also attempted in this instance to introduce compromise solutions to issues which lay outside the provisional boundaries of the contract zone as it had been sketched by the primary parties.

Finally, the introduction of the Swedish initiative can be seen as a third party's attempt to intervene with a compromise or mediation proposal designed to placate both the nuclear weapon states and the non-nuclear weapon states. Thus, Sweden attempted to play a mediating role while at the same time advancing standpoints and negotiatory positions as a member of the latter group of states.

The Swedish proposal presupposed various changes in the primary parties' negotiatory positions. First, it required a change in the Soviet Union's attitude towards on-site inspection. As mentioned earlier, the Soviet Union had traditionally opposed on-site inspection without comprehensive and total disarmament. (Non-proliferation is not disarmament but rather arms control.) The Swedish proposal can therefore be said to have challenged a Soviet negotiatory position based on a long-standing principle. Second, the proposal presupposed a change in the American position primarily on the question of the control of transfers which was a politically sensitive issue in regard to the allies of the United States, particularly Great Britain. The Swedish formulation of the control proposal made a British acceptance of the Swedish plan less likely.

7.6.2.3. *Conceivable negative effects of the Swedish proposal*

Formulated as it was, the submission of such a proposal entailed risks for the creation of certain (in all probability, calculated) negative side-effects. First, Sweden risked delaying the achievement of a non-proliferation treaty. In this decisive negotiatory situation, the Swedish attempts to mobilize support for more far-reaching concessions from the nuclear states meant that the non-nuclear weapon nations might become less inclined to accept a non-proliferation treaty based on the Soviet and American drafts unless the primary parties accepted the Swedish proposal.

⁵³ The expression, "for peaceful purposes," was used in the control article (paragraph 2 b) of the Non-Proliferation Treaty, and has been characterized as a "loop-hole." See Prawitz, 1969 : 13; Collén, 1969 : 154.

By attempting to introduce new compromise areas into the contract zone which had been provisionally established by the United States and the Soviet Union, Sweden risked delaying or even reversing the development of the negotiation process. In short, a more definite agreement on the boundaries of the contract zone could have been delayed.

In addition, the effects of the Swedish proposal seem to have been dualistic in regard to the requirements of the acceptability principle. The risks were great that the effect of the memorandum may have been to reduce the parties' willingness to accept the proposed control article. These risks had to be weighed against the possibility that if the proposal had been accepted by the primary parties, a more effective and more comprehensive treaty might have been achieved, a result which might have increased the potential signatories' willingness to adhere to the treaty.

Sweden controlled these negative side-effects to the degree that Swedish demands for more comprehensive concessions from the recipients could be abandoned at any time. Sweden could not, however, control any non-nuclear opinion which the proposal may have mobilized.

The degree to which the mixing of bargaining-oriented and mediation-oriented strategies damaged Sweden's negotiation reputation as a mediator cannot be determined on the basis of available material. It can only be stated that the Swedish proposal was not accepted.

The way in which Sweden followed up the presentation of the memorandum will be briefly mentioned. As noted above, the primary parties avoided making an official response to the initiative. In February, 1968, the Swedish delegation again submitted two new memoranda containing modifications and additions to the Soviet and American draft treaties.⁵⁴ The introduction of these proposals was also complemented by a Swedish contribution to the general negotiatory debate.⁵⁵

These initiatives clearly indicate that the Swedish delegation had "retreated" from the negotiatory position presented in the Swedish memorandum from 1967. One of these documents has been analyzed in terms of the use of search strategies. The analysis indicates that the Swedish attempt to mediate between the primary parties' negotiatory positions by suggesting an extension of the contract zone (and thus, the area of compromise) had failed. The contract zone had been stabilized, and the Swedish delegation adapted to this situation by choosing not to repeat its advocacy of the original proposal from 1967.⁵⁶ This gradual adjustment (coupled with critical commentary) to a stabilized contract zone characterized Swedish behavior during the final stage of the NPT negotiations. It can be assumed, however, that retreats

⁵⁴ ENDC/215 and ENDC/216.

⁵⁵ ENDC/PV. 363 : 4 ff. and ENDC/PV. 373 : 4 ff.

⁵⁶ ENDC/PV. 363 : 4 ff.

undertaken so close to the achievement of a negotiatory solution do not damage a party's negotiation reputation if other parties feel that the retreat has been made in a spirit of flexibility intended to facilitate the attainment of a solution. From a mediator's perspective, retreats from positions presented in mediation proposals are not at all problematic.

7.7. Conclusions and Comments

1. The documents analyzed in this chapter illustrate that in different negotiatory situations the Swedish delegation made an effort to play the role of an unauthorized mediator while at the same time combining or complementing mediation strategies with the use of bargaining-oriented strategies. The material examined here, like the previous analysis, indicates that Sweden was a multiple role-taker.
2. Seen from the mediation objects' perspective, the Swedish mediation proposals contained compromise solutions to issues which lay within the negotiation range but outside the contract zone. As argued earlier, compromise strategies used by a third party can be seen as role-dependent strategies. If this is the case, the simultaneous and additional use of strategy types other than those normally associated with mediation strategies and the introduction of compromise solutions to issues lying outside the contract zone appear to have caused the recipient to develop ambiguous perceptions of both the initiator's role and the purpose and function of the proposal.

Certain Swedish activities could be aptly described as efforts designed to allow the mediator to manipulate the situation against the wishes of the mediation objects. Whether the Swedish proposal was meant as a test designed to determine the possibilities of marginally adjusting the boundaries of the contract zone or as an integrated part of a general, long-range mediation strategy is a question which cannot be accurately answered on the basis of the available empirical material.

3. The Swedish proposals were not characterized by "exact reciprocity." The traditional view of a compromise solution as a "fifty-fifty" arrangement was not applicable in the case of the two proposals under investigation. For in these instances, the mediator advanced proposals containing certain suggested compromise solutions which were closer to the negotiatory positions of one of the mediation objects. This asymmetry was defended on technical and scientific grounds.
4. The most significant issues raised in this chapter and in this study in general could be summarized in the following way:

How did the mediator coordinate the use of various types of strategies?
How does the isolated use of one type of strategy differ from the use of the

same strategy in combination with other kinds of strategies? If different strategies are employed in combination, when and how do these strategies strengthen, weaken, or neutralize each other? Can the mediator control this interaction? Does multiple role-taking and the simultaneous use of several strategies entail risks for negative side-effects?

The empirical analysis has indicated the existence of multiple role-taking combined with the simultaneous use of various types of strategies. This observation can be made in a study such as this whose purpose has been to analyze the use of mediation strategies by a party *attempting to influence* the negotiation process and the result of that process.

Detailed answers to these questions demand, however, another type of influence study in which the effects of the strategies analyzed here are investigated. Thus, this study suggests an increased analytical concentration on the use and consequences of variegated strategic behavior.

References

Sources

- Documents from the Conference of the Eighteen-Nation Committee on Disarmament: Memoranda (ENDC/1-) and Verbatim Records (ENDC/PV. 1-)
- International Atomic Energy Agency Statute (1963)
- Official Records and Resolutions of the U.N. General Assembly
- Riksdagens Protokoll (Swedish Parliamentary Proceedings)
- The Charter of the United Nations
- Utrikesfrågor: *Official Documents Concerning Significant Swedish Foreign Policy Issues*. The Swedish Foreign Ministry: Stockholm 1962–1969
- Verbatim Records of the Subcommittee on a Treaty for the Discontinuance of Nuclear Weapon Tests (ENDC/SC. 1/PV. 1–50)

Books and Articles

- Ackoff, Russell L. *Scientific Method, Optimizing Applied Research Decisions*. John Wiley & Sons, Inc.: New York, 1962.
- Ahlmark, Per. *Den svenska atomvapendebatten*. Aldus/Bonniers: Stockholm, 1965.
- Ahmed, Samir M. "The Role of the Neutrals in the Geneva Negotiations," *Disarmament and Arms Control*, No. 1 (1963), pp. 20–32.
- Ahmed, Samir M. *The Neutrals and the Test Ban Negotiations: An Analysis of the Non-Aligned States' Efforts Between 1962–1963*. Occasional Paper, No. 4. Carnegie Endowment for International Peace, 1967.
- Asplund, Johan. *Sociala egenskapsrymder*. Argos förlags AB: Uppsala, 1968.
- Baldwin, David A. "Thinking About Threats." *The Journal of Conflict Resolution*. Vol. XV, No. 1 (1971), pp. 71–78.
- Barkun, Michael. "Conflict Resolution through Implicit Mediation." *The Journal of Conflict Resolution*, Contents of Vol. VIII (1964), pp. 121–130.
- Barnaby, C. F. (ed.). *Preventing the Spread of Nuclear Weapons*. Souvenir Press: London, 1969.
- Barnet, Richard J. and Falk, Richard A. *Security in Disarmament*. Princeton University Press: Princeton, 1965.

- Beaufre, André. *An Introduction to Strategy*. Faber and Faber: London, 1965.
- Bergmann, G. *Philosophy of Science*. The University of Wisconsin Press: Madison, Wisc., 1957.
- Bergström, Stig-Erik. "Valet av prognosmetod. En beslutsteoretisk studie." *Ekonomi och Samhälle*, No. 17, Helsingfors (1968).
- Birnbaum, K. E. "Sverige och kärnvapenfrågan". *Strategisk Bulletin*, No. 6 (1965).
- Bishop, Robert L. "Game-Theoretic Analyses of Bargaining." *Quarterly Journal of Economics*, (1963) pp. 559-602.
- Björnerstedt, R. and Grape, L. "Säkerhetspolitiskt studium av den svenska kärnvapenfrågan." *Svenska kärnvapenproblem*. Aldus/Bonniers: Stockholm, 1965, pp. 11-32.
- Björnerstedt, R. "Handlingsfrihet i kärnvapenfrågan." *Liberal debatt*, No. 5 (1966), pp. 35-38.
- Bloomfield, Lincoln P. and Henkin, Louis. "Inspection and the Problem of Access." In Richard Barnet and Richard Falk (eds.). *Security in Disarmament*, pp. 107-122. Princeton, 1965.
- Boskey, Bennet and Willrich, Mason (eds.). *Nuclear Proliferation: Prospects for Control*. The Dunellen Comp. Inc.: New York, 1970.
- Boulding, Kenneth E. *Conflict and Defense. A General Theory*. Harper & Row Publishers: New York, 1962.
- Bross, Irwin D. J. *Design for Decision*. The MacMillan Comp.: New York, 1953.
- Burton, John W. *Conflict & Communication. The Use of Controlled Communication in International Relations*. MacMillan and Co. Ltd.: London, 1969.
- Burton, John W. "Resolution of Conflict," *International Studies Quarterly*, Vol. 16, No. 1 (1972), pp. 5-30.
- Claude, Inis L. Jr. "United Nations Use of Military Force." *Journal of Conflict Resolution*, Vol. VII, No. 2 (1963), pp. 117-129.
- Claude, Inis L. Jr. *Swords into Plowshares. The Problems and Progress of International Organization*. University of London Press: London, 1964.
- Coddington, Alan. *Theories of the Bargaining Process*. George Allen and Unwin Ltd.: London, 1968.
- Collén, B. "A Loophole to be Closed in the Soviet-American Draft Non-Proliferation Treaty." In C. F. Barnaby (ed.). *Preventing the Spread of Nuclear Weapons*, pp. 154-156. London, 1969.
- Contini, Bruno and Zionts, Stanley. "Restricted Bargaining for Organizations with Multiple Objectives." *Econometria*, Vol. 36, No. 2 (1968), pp. 397-414.
- Converce, Elisabeth. "The War of All Against All. A Review of The Journal of Conflict Resolution", 1957-1968. *The Journal of Conflict Resolution*, Vol. XII, No. 4 (1968), pp. 471-532.
- Cordier, A. W. and Foote, W. (eds.). *The Quest for Peace: The Dag Hammarskjöld Memorial Lectures*. Columbia University Press: New York, 1965.
- Coser, Lewis. "Peaceful Settlement and the Dysfunctions of Secrecy." In David Singer (ed.). *Weapons Management in World Politics*, pp. 246-340. (Proceedings of the International Arms Control Symposium held in Ann Arbor, Michigan, Dec. 17-20, 1962).
- Cot, Jean Pierre. *International Conciliation*. Europa Publications Ltd.: London, 1972.
- Cross, John G. "A Theory of the Bargaining Process." *The American Economic Review*, No. 1 (1965), pp. 67-94.
- Cross, John G. *The Economics of Bargaining*. Basic Books, Inc., Publishers: New York, 1969.
- Cyert, Richard M. and March, James G. *A Behavioral Theory of the Firm*. Prentice-Hall, Inc.: Englewood Cliffs, New Jersey, 1963.

- Dahl, Robert A. *Who Governs?* Yale University Press: New Haven, 1961.
- Dahl, Robert A. *Modern Political Analysis*. Prentice-Hall, Inc.: Englewood Cliffs, New Jersey, 1963.
- Davies, David. Rapporteur of a Study Group. *Seismic Methods for Monitoring Underground Explosions*. Almquist & Wiksell: Stockholm, 1969.
- Dean, Arthur H. *Test Ban and Disarmament. The Path of Negotiation*. Harper & Row, Publishers: New York, 1966.
- Deutsch, Karl W. *The Analysis of International Relations*. Prentice-Hall, Inc.: Englewood Cliffs, New Jersey, 1968.
- Deutsch, Morton and Krauss, Robert, "The Effect of Threat upon Interpersonal Bargaining." *Journal of Abnormal and Social Psychology*, Vol. 61, No. 2 (1960), pp. 181-189.
- Dougherty, James E. and Pfaltzgraff, Robert L. Jr. *Contending Theories of International Relations*. J. B. Lippincott Company: Philadelphia, 1971.
- Douglas, Ann. "The Peaceful Settlement of Industrial and Intergroup Disputes." *Journal of Conflict Resolution*, Vol. I (1957), pp. 69-81.
- Douglas, Ann. *Industrial Peacemaking. A Report on Union-Management Negotiations*. Columbia University Press: New York, 1962.
- Dubin, Robert. *Theory Building. A Practical Guide to the Construction and Testing of Theoretical Models*. The Free Press: New York, 1969.
- Dunlop, John T. and Healy, James J. *Collective Bargaining. Principles and Cases*. Richard D. Irwin, Inc.: Homewood, Illinois, 1953.
- Dunlop, John T. (ed.). *The Theory of Wage Determination*. MacMillan & Co., Ltd.: London, 1957.
- Dunlop, John T. "The Function of the Strike." In J. T. Dunlop and N. Chamberlain (eds.). *Frontiers of Collective Bargaining*, pp. 103-121. New York, 1967.
- Dunlop, John T. and Chamberlain, Neal (eds.). *Frontiers of Collective Bargaining*. Harper & Row: New York, 1967.
- Easton, David. *A Framework for Political Analysis*. Prentice-Hall, Inc.: Englewood Cliffs, New Jersey, 1965.
- Edelstam, Axel, "Nedrustningsfrågan, Dagsläge och framtidsperspektiv." *Strategisk Bulletin*, No. 4 (1968).
- Edwards, David V. *Arms Control in International Politics*. Holt, Rinehart and Winston, Inc.: New York, 1969.
- Ericsson, U. *Approaches to Some Test Ban Control Problems*. FOA 4 rapport C 4286-20 (23). (1967).
- Foote, Wilder. *The Servant of Peace - Dag Hammarskjöld's Speeches*. Nordstedt & Söner: Stockholm, 1962.
- Frankel, Joseph. *The Making of Foreign Policy. An Analysis of Decision Making*. Oxford University Press: London, 1963.
- Frithiofson, Karl. "Sveriges säkerhetspolitik." *Försvar i Nutid*, No. 1 (1965).
- Garthoff, Raymond L. *Soviet Strategy in the Nuclear Age*. Frederick A. Praeger Publishers: New York, 1958.
- Gore, W. J. *Administrative Decision Making: a Heuritic Model*. John Wiley & Sons: New York, 1964.
- Grape, Lennart and Ysander, B-C. *Säkerhetspolitik och försvarsplanering*. Studier och debatt: Stockholm, 1967.
- McGuire, Martin C. *Secrecy and the Arms Race*. Harvard University Press: Cambridge, Massachusetts, 1965.
- Gustafsson, Lennart. *Gemensamt beslutsfattande genom förhandlingar. Vidareutveckling och prövning av beskrivningssätt för förhandlingsförlopp*. The Economic Rese-

- arch Institute at the Stockholm School of Economics. Mimeo, 1970.
- Gustafsson, Lennart. *Förhandlingar: En teoretisk analys av gemensamt beslutsfattande*. Bokförlaget Prisma: Stockholm, 1971.
- Haagerup, N. J. *Nedrustning og rustningskontrol. Økonomi og Politik* (1961).
- Halperin, Morton H. *Military Strategy*. Faber and Faber: London, 1967.
- Harré, R. *An Introduction to the Logic of the Sciences*. St Martin's Press: New York, 1967.
- Harsanyi, John C. "Bargaining and Conflict Situations in the Light of a New Approach to Game Theory." *American Econ. Review*, No. 2 (1965), pp. 447-457.
- Harsanyi, John C. "Rational Choice Models of Political Behavior or Functionalist and Conformist Theories." *World Politics*, Vol. XXI No. 4 (1969), p. 513-518.
- Heiskanen, I. *Theoretical Approaches and Scientific Strategies in Administrative and Organization Research. A Methodological Study*. Commentationes Humanarum Litterarum, Societas Scientiarum Fennica, Vol. 39, No. 2 (1967).
- Heurlin, B. "Nedrustning og nedrustningsforskning." *Økonomi og Politik*, No. 1 (1967), pp. 24-48.
- Herz, John H. *International Politics in the Atomic Age*. Columbia University Press: New York, 1959.
- Holsti, K. J. *International Politics: A Framework for Analysis*. Prentice-Hall, Inc.: Englewood Cliffs, New Jersey, 1967.
- Homans, George C. *The Nature of Social Science*. Harcourt, Brace & World, Inc.: New York, 1967.
- Huddle, F. P. "Political Acceptability of a Disarmament Inspection System; Its Influence on System Design Criteria and Operation." *Background*, No. 8 (1964), pp. 175-425.
- Iklé, Fred Charles and Leites, Nathan. "Political Negotiation as a Process of Modifying Utilities." *The Journal of Conflict Resolution*, Vol. VI, No. 1 (1962), pp. 19-28.
- Iklé, Fred Charles. *How Nations Negotiate*. Harper & Row: New York, 1964.
- Iklé, Fred Charles. "Negotiation." In David L. Sills (ed.). *International Encyclopedia of the Social Sciences*. Vol. III, p. 117-120. New York, 1968.
- Israel, J. *Socialpsykologi*. Norstedt och Söner, Stockholm, 1963.
- Jack, Homer A. "Nonalignment and a Test Ban Agreement: The Role of the Non-aligned States." In David Singer (ed.). *Weapons Management in World Politics*, pp. 542-636. (Proceedings of the International Arms Control Symposium held in Ann Arbor, Michigan, Dec. 17-20, 1962.).
- Jackson, Elmore. *Meeting of Minds*. McGraw-Hill Book Comp. Inc.: New York, 1952.
- Jensen, Lloyd. "Approach-Avoidance Bargaining in the Test Ban Negotiations." *International Studies Quarterly*, Vol. 12, No. 2 (1968), pp. 152-160.
- Jensen, Vernon H. "Bibliography on Dispute Settlement by Third Parties." *Labor Law Journal*, Vol. 6, No. 8 (1955).
- Jervas, Gunnar. *Säkerhetspolitiskt agerande över tiden*. (Mimeo) Umeå, 1971.
- Johansson, Harry and Sundin, Lars. *Några av lönsamhetsanalysens grundbegrepp*. Academic Press: Uppsala, 1967.
- Kahn, R. L., Wolfe, D. M., Quinn, R. P., Snoek, J. D. and Rosenthal, R. A. *Organizational Stress: Studies in Role Conflict and Ambiguity*. John Wiley & Sons, Inc.: New York, 1964.
- Kalleberg, A. L. "The Logic of Comparison: a Methodological Note on the Comparative Study of Political Systems." *World Politics*, Vol. XIX, No. 1 (1966), pp. 69-82.
- Kaplan, Morton A. (ed.). *New Approaches to International Relations*. St. Martin's Press: New York, 1968.
- Kaplan, Morton A. "Notes on Game Theory and Bargaining." In Morton A. Kaplan (ed.). *New Approaches to International Relations*, pp. 483-518. New York, 1968.

- Kaplan, Morton A. and Katzenbach, Nicholas. *The Political Foundations of International Law*. John Wiley & Sons, Inc.: New York, 1961.
- Kaufmann, Johan. *Conference Diplomacy*. A. W. Sijthoff-Leyden, Occana Publications, Inc.: New York, 1968.
- Kelman, Herbert C. (ed.). *International Behavior: A Social-Psychological Analysis*. Holt, Rinehart and Winston: New York, 1965.
- Kerr, Clark. "Industrial Conflict and its Mediation." *The American Journal of Sociology*, Vol. 60 (1954), pp. 230-245.
- Kissinger, Henry A. *Nuclear Weapons and Foreign Policy*. Doubleday & Company, Inc. Garden City: New York, 1958.
- Kissinger, Henry A. *The Necessity for Choice - The Prospects of American Foreign Policy*. Garden City: New York, 1962.
- Korhonen, Keijo. "Disarmament Talks as an Instrument of International Politics." *Cooperation and Conflict*, Vol. 3 (1970), pp. 152-167.
- Kornhauser, A. W., Dubin, R. and Ross, A. (eds.). *Industrial Conflict*. McGraw-Hill Book Comp.: New York, 1954.
- Lall, Arthur S. *Negotiating Disarmament. The Eighteen-Nation Disarmament Conference: The First Two Years, 1962-64*. Center for International Studies, Cornell University: New York, 1964.
- Lall, Arthur S. *Modern International Negotiation: Principles and Practice*. Columbia University Press: New York, 1966.
- Lasswell, Harold D. "Compromise." In Edwin R. A. Seligman and Alvin Jonson (eds.). *International Encyclopaedia of the Social Sciences*, Vol. IV, pp. 147-149. New York, 1949.
- Lefever, Ernest W. "Nehru, Nasser, and Nkrumah on Neutralism." In Laurence W. Martin (ed.). *Neutralism and Nonalignment: the New States in World Affairs*, pp. 93-120. New York, 1962.
- Lerche Jr., Charles O. and Said, Abdul A. *Concepts of International Politics*. Prentice-Hall, Inc.: Englewood Cliffs, New Jersey, 1970.
- Lindberg, Jens. "Aktiviteter vid strategisk planering." In Anders Linde (ed.). *Strategisk Planering*. Bonniers Förlag AB: Stockholm, 1971.
- Linde, Anders (ed.). *Strategisk planering*. Bonniers Förlag AB: Stockholm, 1971.
- Liska, George. "The 'Third Party': The Rationale of Nonalignment." In Laurence W. Martin (ed.). *Neutralism and Nonalignment: The New States in World Affairs*, pp. 80-92. New York, 1962.
- Lomov, Nikolaj. "Några problem rörande stärkandet av säkerheten i Europa." *Strategisk Bulletin*, No. 6 (1966), pp. 21-28.
- Luard, Evan. "The Background of the Negotiations to Date." In Evan Luard (ed.). *First Steps to Disarmament*, pp. 9-46. London, 1965.
- Luard, Evan (ed.). *First Steps to Disarmament*. Thames and Hudson: London, 1965.
- Luce, Duncan R. and Raiffa, Howard. *Games and Decisions Introduction and Critical Survey*. John Wiley & Sons, Inc.: New York, 1967.
- Lundquist, Lennart. *Means and Goals of Political Decentralization*. Studentlitteratur: Malmö, 1972.
- McBride, James H. *The Test Ban Treaty: Military, Technological and Political Implications*. Henry Regnery Company: Chicago, 1967.
- Magnusson, Gudmundur. *Production Under Risk: A Theoretical Study*. Almqvist & Wiksells Boktryckeri AB: Uppsala, 1969.
- March, James G. (ed.). *Handbook of Organizations*. Rand McNally & Co.: Chicago, 1965.

- March, James G. and Simon, Herbert A. *Organizations*. John Wiley & Sons, Inc.: New York, 1966.
- Martin, Laurence W. (ed.). *Neutralism and Nonalignment: The New States in World Affairs*. Frederick A. Praeger: New York, 1962.
- Martin, A. and Young, W. "Proliferation." *Disarmament and Arms Control*, No. 3 (1965), pp. 107-134.
- Melesko, Stefan. *Mål- och målformuleringsproblem i en organisation*. The Economic Research Institute at the Stockholm School of Economics. (Mimeo) 1970.
- Meyer, Arthur S. "Function of the Mediator in Collective Bargaining." *Industrial and Labour Relations Review*, Vol. 13, No. 2 (1960), pp. 159-165.
- Midgaard, Knut. *Strategisk Tenkning*. Norsk Utenrikspolitisk Institutt: Oslo, 1965.
- Midgaard, Knut. "Rustningskappløp, Rustningskontroll og Nedrustning." *Internasjonal Politikk*, No. 4-5 (1969), pp. 559-606.
- Midgaard, Knut. "Strategy and Ethics in International Politics." *Cooperation and Conflict*, Vol. 4 (1970), pp. 224-240.
- Miller, James G. "The Individual as an Information Processing System." In David Singer (ed.). *Human Behavior and International Politics*, pp. 202-212. Illinois, 1965.
- Molin, Björn. *Tjänstepensionsfrågan: En studie i svensk partipolitik*. Akademiförlaget: Göteborg, 1965.
- Morgenthau, Hans J. *Politics Among Nations: The Struggle for Power and Peace*. Alfred A. Knopf: New York, 1965.
- Myrdal, Alva. "Disarmament and the United Nations." In Andrew W. Cordier and W. Foote (eds.). *The Quest for Peace; the Dag Hammarskjöld Memorial Lectures*. (1964), pp. 149-165.
- Myrdal, Alva. "Nedrustning - realitet eller utopi." *Försvar i Nutid*, No. 4 (1965).
- Myrdal, Alva. "Political Aspects of Non-Proliferation." *Adelphi Papers*, No. 29 (1966), pp. 9-26.
- Myrdal, Alva. "FN och nedrustning." *FN och framtiden* (1970), pp. 161-187.
- Nicolson, Harold. *The Evolution of Diplomatic Method*. Oxford University Press: London, 1954.
- Nicolson, Harold. *Diplomacy*. Oxford University Press: London, 1963.
- Nicholson, Michael. *Conflict Analysis*. The English Universities Press Ltd.: London, 1970.
- Nierenberg, Gerald I. *The Art of Negotiating*. New York, 1968.
- Noel-Baker, Philip. *The Arms Race: A Programme for World Disarmament*. John Calder Ltd.: London, 1958.
- Nogee, Joseph L. "Propaganda and Negotiation: The Case of the Ten-Nation Disarmament Committee." In David Singer (ed.). *Weapons Management in World Politics*, pp. 510-604. (Proceedings of the International Arms Control Symposium held in Ann Arbor, Michigan, Dec. 17-20, 1962).
- Norrman, Karl-Erik. "Den femte kärnvapenmakten." *Strategisk Bulletin*, No. 5 (1967).
- Northrup, Herbert R. "Mediation - the Viewpoint of the Mediated." *Labor Law Journal* (1962), p. 833.
- Näslund, Bertil. *Decision Under Risk*. EFI, Stockholm, 1967.
- Oskamp, Stuart. "Effects of Programmed Strategies on Cooperation in the Prisoner's Dilemma and Other Mixed-Motive Games." *Journal of Conflict Resolution*, Vol. 15, (1971), pp. 225-259.
- Padelford, Norman J. and Lincoln, G. A. *The Dynamics of International Politics*. MacMillan Company: New York, 1967.
- Peters, Edward. *Strategy and Tactics in Labor Negotiations*. National Foremen's

- Institute: New London, Conn., 1955.
- Phipps, Thomas E. "Strategy on War Limitation." In David Singer (ed.). *Weapons Management in World Politics*, pp. 215-309. (Proceeding of the International Arms Control Symposium Held in Ann Arbor, Michigan, Dec. 17-20, 1962).
- Plano, Jack C. and Olton, Roy. *The International Relations Dictionary*. Holt, Rinehart and Winston, Inc.: New York, 1969.
- Podell, Jerome and Knapp, William. "The Effect of Mediation on the Perceived Firmness of the Opponent." *The Journal of Conflict Resolution*, Vol. XIII, No. 4 (1969), pp. 511-520.
- Prawitz, Jan. *Kontroll av Nedrustningsavtal*. Tidskrift i Sjöväsendet, april 1969.
- Prawitz, Jan. "Ny atomdoktrin." In Lennart Grape and B.-C. Ysander. *Säkerhetspolitik och försvarsplanering*, pp. 196-219. Stockholm, 1967.
- Pruitt, Dean G. "Definition of the Situation as a Determinant of International Action." In Herbert C. Kelman (ed.). *International Behavior*, pp. 393-432. New York, 1965.
- Pruitt, Dean G. and Snyder, Richard C. *Theory & Research on the Causes of War*. Prentice-Hall, Inc.: Englewood Cliffs, New Jersey, 1969.
- Ramström, Dick. *The Efficiency of Control Strategies*. Almqvist & Wiksells Boktryckeri AB: Uppsala, 1967.
- Ramström, Dick. *Systemplanering: Information och beslut i företaget*. Norstedt & Söner: Stockholm, 1969.
- Rapoport, Anatol. *Fights, Games, and Debates*. The University of Michigan Press: New York, 1961.
- Rhenman, Eric. *Företagsdemokrati och företagsorganisation*. Pan/Norstedts: Stockholm, 1967.
- Richardsson, L. F. *Arms and Insecurity*. Quadrangle Books: Chicago, 1960.
- Riker, W. H. *The Theory of Political Coalitions*. Yale University Press: New Haven, 1962.
- de Rivera, Joseph H. *The Psychological Dimension of Foreign Policy*. Charles E. Merrill Publ. Comp.: Columbus, Ohio, 1968.
- Rose, Arnold M. "Needed Research on the Mediation of Labor Disputes." *Personnel Psychology*, Vol. 5, No. 3 (1952), pp. 187-200.
- Rosen, Steven. "Proliferation Treaty Controls and the IAEA." *The Journal of Conflict*, Vol. XI, No. 2 (1967), pp. 168-175.
- Sawyer, Jack and Guetzkow, Harold. "Bargaining and Negotiation in International Relations." In Herbert C. Kelman (ed.). *International Behavior*, pp. 466-520. New York, 1965.
- Scheinman, Lawrence. "EURATOM and the IAEA." In Bennet Boskey and Mason Willrich (eds.). *Nuclear Proliferation: Prospects for Control*, pp. 63-80. New York, 1970.
- Schelling, T. C. *The Strategy of Conflict*. Oxford University Press: New York, 1963.
- Schelling, T. C. "En amerikansk tolkning av Sveriges neutralitet." *Strategisk Bulletin*, No. 6 (1966), pp. 29-34.
- Schelling, T. C. *Arms and Influence*. Yale University Press: New Haven, 1966.
- Scott, Andrew M. *The Functioning of the International Political System*. The MacMillan Comp.: New York, 1967.
- Seipel, Carl-Magnus. *Kommunikatoreffekter och meddelandets argumentering*. EFI, Stockholm, 1967.
- Seligman, Edwin R. A. and Johnsson, Alvin. *International Encyclopedia of the Social Sciences*, Vol. III. The MacMillan Comp.: New York, 1949.
- Selznick, Philip. *Leadership in Administration*. Harper & Row: New York, 1966.
- Sherman, Michael E. *Nuclear Proliferation. The Treaty and After*. The Canadian

- Institute of International Affairs: Canada, 1968.
- Sills, David L. (ed.). *International Encyclopedia of the Social Sciences*. Vol. II. The MacMillan Company and the Free Press: New York, 1968.
- Simon, Herbert A. *Administrative Behavior: A Study of Decision-Making Processes in Administration Organization*. (Second Edition with new introduction). Free Press: New York, 1965.
- Singer, David J. *Deterrence, Arms Control, and Disarmament. Toward a Synthesis in National Security Policy*. Ohio State University Press: Ohio, 1962.
- Singer, David J. *Human Behavior and International Politics*. Rand McNally & Co.: Chicago, Illinois, 1965.
- Sipri Yearbook 1972*. Almqvist & Wiksell, Stockholm, 1972.
- Sjöblom, Gunnar. "Studiet av partipropaganda." *Statsvetenskaplig Tidskrift*, No. 2 3 (1967).
- Sjöblom, Gunnar. *Party Strategies in a Multiparty System*. Studentlitteratur: Malmö. 1968.
- Snyder, Glenn H. *Deterrence and Defense. Toward a Theory of National Security*. Princeton University Press: Princeton, New Jersey, 1961.
- Snyder, R. C., Bruck, H. W. and Sapin, B. *Foreign Policy Decision-Making: An Approach to the Study of International Politics*. Free Press of Glencoe: New York, 1962.
- Squires, B. M. "Conciliation." In Edwin R. A. Seligman and Alvin Jonson, (eds.). *International Encyclopedia of the Social Sciences*, Vol. IV, pp. 165-169. New York, 1949.
- Stagner, Ross. *The Psychology of Industrial Conflict*. New York, 1956.
- Stevens, Carl M. *Strategy and Collective Bargaining Negotiation*. McGraw Hill Book Comp. Inc.: New York, 1963.
- Stevens, Carl M. "Mediation and the Role of the Neutral." In John T. Dunlop and Neil W. Chamberlain (eds.). *Frontiers of Collective Bargaining*, pp. 271-290. New York, 1967.
- Stone, Julius. *Human Law and Human Justice*. Stanford Univ. Press: Stanford, 1965.
- Stone, Julius. "International Conflict Resolution." In David Sills (ed.). *International Encyclopedia of the Social Sciences*, Vol. II. New York, 1968.
- Some Aspects of Mediation*. Report of a Conference Sponsored by the European Centre of the Carnegie Endowment for International Peace, Geneva. Carnegie Endowment, 1970.
- Taylor, Donald W. "Decision Making and Problem Solving." In James G. March (ed.). *Handbook of Organizations*, pp. 48-86. Chicago, 1965.
- Thomas, W. I. and Znaniecki, F. *The Polish Peasant in Europe and America*. Vol. I, Dover: New York, 1958.
- Thompson, James D. *Organizations in Action. Social Science Bases of Administrative Theory*. McGraw-Hill Book Comp.: New York, 1967.
- Treaty on the Non-Proliferation of Nuclear Weapons*. United Nations Publication: New York, 1969.
- Undén, Östen. *Tankar om utrikespolitik*. Rabén & Sjögren: Stockholm, 1963.
- The United Nations and Disarmament 1945-1965*. United Nations Publications, 1967.
- Walton, R. E. and McKersie, R. B. *A Behavioral Theory of Labor Negotiation: An Analysis of a Social Interaction System*. McGraw-Hill: New York, 1965.
- Warren, Edgar L. and Bernstein, Irving. "The Mediation Process." *Southern Economic Journal*, Vol. XV, No. 4 (1949), pp. 441-457.
- Warren, Edgar L. "Mediation and Fact Finding." In A. W. Kornhauser, R. Dubin and A. Ross (eds.). *Industrial Conflict*. New York, 1954.
- White, D. J. *Decision Theory*. George Allen & Unwin Ltd.: London, 1969.

- Wilcox, Francis O. "The Nonaligned States and the United Nations." In Laurence W. Martin (ed.). *Neutralism and Nonalignment: The New States in World Affairs*, pp. 121-150. New York, 1962.
- Willrich, Mason. *Non-Proliferation Treaty. Framework for Nuclear Arms Control*. Michie Company: Virginia, 1969.
- Vinacke, W. E. "Variables in Experimental Games: Toward a Field Theory." *Psychological Bulletin* (1969), p. 293-318.
- Wright, Michael. *Disarm and Verify*. Frederick A. Praeger: New York, 1964.
- Young, Oran R. *The Intermediaries. Third Parties in International Crises*. Princeton University Press: Princeton, New Jersey, 1967.
- Young, Oran R. *Systems of Political Science*. Prentice-Hall Inc.: Englewood Cliffs, New Jersey, 1968.
- Zacher, Mark W. *Dag Hammarskjöld's United Nations*. Columbia University Press: New York, 1970.
- Zaleznik, Abraham. "Interpersonal Relations in Organizations." In James G. March, (ed.). *Handbook of Organizations*, pp. 574-613. Chicago, 1965.
- Åhslund, Bengt. "Frankrikes kärnvapen: fakta och filosofi." *Strategisk Bulletin*, No. 5 (1966), pp. 4-18.

Abbreviations

ABM	Anti-Ballistic Missile
FK	första kammaren (Upper House)
AK	andra kammaren (Lower House)
ENDC	Eighteen-Nation Committee on Disarmament
SC	Subcommittee
EURATOM	European Atomic Energy Community
IAEA	International Atomic Energy Agency
NPT	Non-Proliferation Treaty (Treaty on the Non-Proliferation of Nuclear Weapons)
Prop.	Proposition (proposal)
SIPRI	Stockholm International Peace Research Institute
UN	United Nations

1. Ruin, O., Kooperativa förbundet 1899—1929. En organisationsstudie. Rabén & Sjögren, Stockholm 1960.
2. Vallinder, T., I kamp för demokratin. Rösträttsrörelsen i Sverige 1886—1900. Natur och Kultur, Stockholm 1962.
3. Petersson, H. F., Power and international order. An analytical study of four schools of thought and their approaches to the war the peace and the post-war system 1914—1919. Gleerups, Lund 1964.
4. Westerhult, B., Kronofogde, häradsskrivare, länsman. Den svenska fögderiförvaltningen 1810—1917. Gleerups, Lund 1965.
5. Wieslander, H., I nedrustningens tecken. Intressen och aktiviteter kring försvarsfrågan 1918—1925. Gleerups, Lund 1966.
6. Söderberg, O., Motororganisationerna i Sverige. Bakgrund, grupperingar, aktiviteter. Rabén & Sjögren, Stockholm 1966.
7. Sjöblom, G., Party Strategies in a Multiparty System. Studentlitteratur, Lund 1968.
8. Hydén, G., TANU Yajenga Nchi — Political Development in Rural Tanzania. Uniskol, Lund 1968.
9. Lindeberg, S.-O., Nödhjälp och samhällsneutralitet. Svensk arbetslöshetspolitik 1920—1923. Uniskol, Lund 1968.
10. Westerhult, B., Underdåniga påtryckningar. Fögderitjänstemännens intressebevakning från 1800-talets början till år 1918. Gleerups, Lund 1969.
11. Bergquist, M., Sverige och EEC. En statsvetenskaplig studie av fyra åsiktsriktningars syn på svensk marknadspolitik 1961—1962. Norstedts, Sthlm 1970.
12. Lundquist, L., Means and Goals, of Political Decentralization. Studentlitteratur, Lund 1972.
13. Bjurulf, B., An Analysis of Some Aspects of the Voting Process. Studentlitteratur, Lund 1972.
14. Stenelo, L.-G., Mediation in International Negotiations. Studentlitteratur, Lund 1972.

LUND POLITICAL STUDIES 14

In *MEDIATION IN INTERNATIONAL NEGOTIATIONS*, the author presents a conceptual framework for the study of mediation processes. The analysis focuses on an "unauthorized" mediator's attempts to influence the negotiation process in a multilateral, international negotiation. Sweden's efforts as a non-aligned nation to affect the outcome of the disarmament negotiations in Geneva are analyzed in terms of the conceptual framework developed in the theoretically oriented sections of the study.